# DOCUMENT RESUME

ED 216 491 EC 142 445

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**TITLE** Local Implementation of PL 94-142: Second Year Report of a Longitudinal Study.
**INSTITUTION** Stanford Research Inst., Menlo Park, Calif. Educational Policy Research Center.
**SPONS AGENCY** Office of Special Education and Rehabilitative Services (ED), Washington, DC.
**REPORT NO** SRI-P-7124
**PUB DATE** Oct 80
**CONTRACT** 300-78-0030
**NOTE** 174p.; For related documents, see EC 142 446 and ED 201 157.
**AVAILABLE FROM** SRI International, Education and Human Services Research Center, 333 Ravenswood Ave., Menlo Park, CA 94025 ($9.00).

**EDRS PRICE** MF01/PC07 Plus Postage.
**DESCRIPTORS** *Compliance (Legal); *Delivery Systems; *Disabilities; Due Process; Elementary Secondary Education; *Federal Legislation; Inservice Education; Longitudinal Studies; *Program Implementation; Research Methodology; Role Perception; *School Districts; Student Placement
**IDENTIFIERS** *Education for All Handicapped Children Act

**ABSTRACT**

The document contains the second annual report of findings from a longitudinal study of 17 local education agencies (LEAs) on the implementation of P.L. 94-142 (the Education for All Handicapped Children Act). An introductory section describes the content of the report and design of the study. Chapter II considers the observed changes in the special education delivery systems in terms of strategies to decrease backlogs in children awaiting evaluation or placement; expansion of services to the preschool, elementary, and secondary student populations; changes in personnel and roles with particular emphasis on the boundary crosser role between special and regular education; and issues pertaining to borders of LEAs' responsibility. A third chapter discusses the responses, primarily at the school level, to those requirements of the law that directly affect the extent to which the needs of individual students are met. Discussion focuses on criteria for determining who receives special education and procedures from evaluation to placement. Included among the summary of findings in a final chapter are that LEAs had either tightened eligibility rules for the mildly handicapped or they expanded services allowing an increase in special education placements; that inservice training for regular education and administrative personnel remained minimal; and that there was continued progress in implementing procedural requirements at the school level. Appendixes present the study's conceptual framework and method of approach. (SB)

ED216491

EC142445

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# LOCAL IMPLEMENTATION OF PL 94-142:
## Second Year Report of a Longitudinal Study

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October 1980

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This report was prepared by SRI International, Menlo Park, California, under Contract No. 300-78-0030, for the Office of Special Education, U.S. Department of Education. The contents do not necessarily reflect the position or policy of the U.S. Department of Education and no official endorsement by the Department of Education should be inferred.

SRI Project 7124

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Price: $9.00

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# KEY TO ACRONYMS

| | |
|---|---|
| CSS | Crippled Children's Services |
| EMR | Educable mentally retarded |
| ESEA | Elementary and Secondary Education Act |
| FAPE | Free appropriate public education |
| IEP | Individual education program |
| LEA | Local education agency |
| LRE | Least restrictive environment |
| MIS | Management information system |
| OCR | Office of Civil Rights |
| OSE | Office of Special Education, U.S. Education Department |
| OT | Occupational therapy |
| PT | Physical therapy |
| SEA | State education agency |
| SEARS | Special education and related services |
| SED | Seriously emotionally disturbed |
| SLD | Specific learning disability |
| TMR | Trainable mentally retarded |
| VI | Visually impaired |

UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

# FOREWORD

This study is one of a series supported by the Office of Special Education to describe the progress being made by local education agencies in implementing P.L. 94-142 and the challenges remaining. The information presented in this report was gathered during the 1979-1980 school year and illustrates the continued commitment and effort being made in our nation's schools to provide all handicapped children a free appropriate public education.

At the same time it is clear that there are remaining challenges in assuring that each handicapped child receives a free appropriate public education. This report suggests certain points where policies may be unclear, or where practices may deviate from the ideals set forth in the Act. These findings are consistent with those of the monitoring visits made biannually by Office of Special staff to each state participating in P.L. 94-142. Where such deviations have been found, the Office of Special Education has worked with the states to clarify policies, has required that corrective actions be taken, and has required verification that prescribed corrective actions are made. In addition, the Office of Special Education sponsors technical assistance activities to assist state and local administrators in appropriately serving all handicapped children.

It is our hope that the findings from this study will assist state and local education agency personnel in examining their own policies and procedures and in making any changes necessary to achieve the quality educational services for all handicapped students that are the promise of P.L. 94-142.

# EXECUTIVE SUMMARY

This is the second annual report of findings from SRI International's longitudinal study of the implementation of PL 94-142, The Education for All Handicapped Children Act, in local school systems. The multiyear study was commissioned by the Office of Special Education (OSE), which was formerly the Bureau of Education for the Handicapped, as part of its overall evaluation of progress in meeting the intent of the law. It is designed as a set of in-depth case studies of local school systems.

Last year, we described how local systems were responding to the law's requirements during 1978-79, the first year of full implementation, that is, the first year when a noticeable amount of federal funds reached local districts. That report was based on interviews with a variety of respondents in 22 local education agencies (LEAs)* representing nine states. This report presents the data collected during the second year, 1979-80, from 17 of the original 22 LEAs.

For the 1978-79 school year, we concluded that most new procedures required by the law were in place but that there was nevertheless a considerable distance to go to fully implement the intent of the law. The main factors affecting the speed with which full implementation can occur, we reported, include the resources and knowledge available and organizational barriers (such as the boundary between regular and special education and between schools and other agencies).

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*LEAs are a diverse group of administrative units below the state level. In addition to local school districts, LEAs in our study include county school systems, intermediate units, and joint agreements or consortia among districts.

In view of these first year findings, the second year of data collection focused on (1) how LEAs dealt with these factors in attempts to meet the full services mandate for their handicapped populations and (2) whether, within these local service delivery systems, school staffs were better able to meet the intent of the law. We summarize the second year findings, comparing them to the first year, and then draw general conclusions about each focus.

## The Local Service Delivery System

In 1978-79 we found that decisions about special education services and placements were shaped by the services that are currently available. In 1979-80 we found this still to be true although the tension between supply and demand had lessened somewhat; LEAs had either tightened eligibility rules for the mildly handicapped thus reducing the rate of children entering the system, or they expanded services allowing an increase in special education placements.

Largely in response to external pressure (including compliance monitoring), emphasis was placed on decreasing backlogs and waiting lists for services in a majority of sites. This was accomplished by hiring more evaluators, increasing the number of programs or the class size, decreasing referrals, or generally streamlining the procedures involved in evaluating and placing students.

During 1979-80 all LEAs in the sample used their available resources to continue to expand services in one way or another. All the sites expanded existing services, half expanded related services, and a third developed new programs for unserved or underserved populations. In contrast to last year's finding that sites expanded or refined services at either the preschool level or the secondary level, this year we found several instances of simultaneous expansion in both directions. Such expansion occurred in LEAs with strong enough core service delivery systems (e.g., sufficient range of services primarily at the elementary level) which enabled LEA administrators to develop or refine services at the preschool and secondary levels.

At the secondary level, some sites made progress in expanding vocational and SLD programs and services for handicapped students. However, the delivery of SEARS at the secondary level continued to lag seriously behind that at the elementary level. Only rarely did a comprehensive range of options exist at the secondary level. Overall, the scope of both elementary and secondary service delivery systems varied greatly across districts, depending primarily on the characteristics of the district (such as local tax base, parent expectations, or state funding formulas). Common across districts, however, were two key proglems that we noted the first year: the provision of services for the SED population and for the handicapped population between the ages of 18 and 21.

With the increase in services came an increase in instructional personnel required to staff the programs. The number and types of boundary crossers also increased in several LEAs. The roles and responsibilities of the boundary crossers varied among LEAs but their primary function was to bridge the organizational barriers between regular and special education services and personnel.

Inservice training for regular education and administrative personnel remained minimal with the most relevant training still provided informally by boundary crossers. Inservice training for special educators was generally better coordinated than the previous year, but reflected only a slight increase in the amount of substantial guidance provided. Overall, training activities were not high priority items within LEAs nor was training offered by the SEA viewed as particularly useful to [illegible] local staff.

During the first year of the study, LEAs encountered the issue of the borders of their responsibility to meet the seemingly open-ended mandate to provide SEARS to all eligible children. In 1979-80, the dimensions of this issue became clearer as LEAs experienced more questions surrounding related services. In some cases, the borders of fiscal and legal responsibility were clarified by court cases, OSE monitoring or changes in state policy. For example, OSE review of one state plan influenced the state to clarify the payment provisions for OT/PT services. Two SEAs stated clear policies that LEAs are not required to provide psychiatric services beyond diagnosis. The provision of mental health services (psychological or psychiatric counseling) is an issue that is still of direct concern to most LEAs in our study. Other areas in which LEAs are confronting the borders of their responsibility for provision of and payment for services are: (1) parochial and private schools, (2) institutionalized handicapped and delinquent children, (3) vocational rehabilitation and (4) extended year (summer) schooling.

## School Level Practices

We saw continued progress in implementing procedural requirements at the school level. Procedures were refined and streamlined and were more incorporated as routine practices. Rather than being viewed as new, time consuming tasks, most administrative procedures (the IEP process in particular) were a more generally accepted part of the job and viewed as less difficult to perform in a majority of the sites.

Techniques were also tried that were designed to increase the appropriateness of referrals. In particular, we found an increase in prereferral intervention, such as specialists working in the classroom and trial interventions prior to determining if formal referral is needed. Although the trend toward prereferral screening and intervention predates PL 94-142, its provisions support the trend and, according to professional staffs in sites with these strategies, these strategies serve to increase the appropriateness of referrals. The trend toward multidisciplinary assessments and individualized evaluation practices also continued this year, sometimes in response to the external pressure of court cases.

However, in determining children's services on the basis of individual needs, the professional staffs were still constrained by what services were currently available. This remained true even though the continuum of alternative placement settings was extended in some LEAs (with the mildly handicapped having the greatest number of options).

And, in spite of the best intentions of service delivery staff, the IEP process rarely included consideration of services not already offered or settings that were not in use. Finally, throughout the process of determining a placement, little change was evident in the involvement of parents. Their participation remained most superficial and pro forma rather than substantive.

## Conclusions

On the basis of the data collected during the second year in 17 of the original 22 sites, we conclude that LEAs are continuing to make some progress in implementing the law. Progress is continuing at the level of incorporating new procedures into daily practice which in turn allows professionals to concern themselves with whether the procedures are accomplishing the purpose intended. Moreover, the more procedures become routinized, the more time and energy remain for delivery of services. However, progress toward full implementation of the law--in the sense of its intent to have an individualized, child-driven system--is constrained by the local service delivery system which in turn is constrained by the three problem areas described last year.

The first of these problems is the inadequacy of available resources: to the extent that services are limited relative to the demand for them, the system cannot provide the range of options necessary to allow services to be tailored to meet each child's unique needs. The second is information and skills: to the extent that staff continue to suffer from inadequate training (particularly regular teachers), realizing the spirit of the law will be problemmatic. The third problem area is that of the borders of responsibility, particularly between schools and other service delivery agencies. Until SEAs are able to resolve this issue, LEAs will suffer the consequences of vague boundaries and uncertainties about the limitations of their responsibility.

In the face of these problems, however, there are some positive signs. LEAs are becoming more aware of the dimensions of the constraints under which they must operate and the extent to which they have control over them. As the dimensions become clearer, LEAs are better able to work out solutions with what they have. As the system level findings reflect, LEAs are trying to develop more efficient and accurate procedures for getting children into special education at the referral and evaluation stages of the process, as well as trying to increase the capacity of the system by further expanding special education and related services.

Last year we concluded that local staff needed assistance from federal staff in clarifying their borders of responsibility, coordinating with other agencies, and improving the substance and delivery of inservice training. We also suggested that assistance designed to enhance local capacity be emphasized by federal administrators, rather than traditional monitoring for procedural compliance. On the basis of the second year findings, our conclusions are similar with a slightly different emphasis. Clearly, federal administrators also have limits on the resources upon which they can draw in monitoring and providing assistance. We also recognize that compliance monitoring is an essential and indispensible tool for the OSE. In this context we conclude that OSE consider focusing its compliance monitoring--that is, to use monitoring as a conscious strategy to focus attention on those aspects of the system that are working least well and to provide assistance that can help LEA practices to become more consistent with policy and procedures associated with PL 94-142.

OSE might also provide specific technical assistance through encouraging such concepts as boundary crossers and sharing creative solutions to problems. Showing how the boundary crosser role can provide one-to-one training is one example of how assistance might be provided in the murky area of inservice training. Finally, we infer from our local level findings that states need assistance in identifying and solving the problems associated with coordinating services across agencies in order to better meet the need for related services.

# ACKNOWLEDGMENTS

In preparing this report, we were aided greatly by various individuals who reviewed the draft and provided us with the benefit of their comments. This assistance was invaluable in that it helped us to reorganize our presentation of findings in a more lucid manner.

For their helpful reviews, we are grateful to Marian S. Stearns, Project Director of this study; David Greene, social psychologist, Assistant Director of the study for design and analysis; and Jane L. David, President of Bay Area Research Group, our subcontractor. These three individuals gave us their insight and unique perspectives as authors of the study's Year 1 report. In particular, Dr. David's suggestions for reorganization and textual revisions were most useful and Dr. Stearns' excellent technical guidance was most appreciated. None of the above individuals should be held responsible for the shortcomings that remain.

Special thanks are due to Nancy Safer, our OSE project officer, for her thoughtful review of the draft and her guidance regarding the final product. We look forward to updating progress in local implementation of PL 94-142 under her contract supervision.

Our gratitude must be extended to the myriad individuals who provided us with information from the field. We are indebted to all of the SEA and LEA administrators, principals, teachers, specialists, community agency personnel, and parents who so willingly talked with us about various implementation issues. Without such cooperation and interest this report could not have been produced.

We are also very grateful to our colleagues at SRI who supported us throughout the data collection analysis and reporting phases. For their diligent field research, we thank John Cressey, Alexis A. Flippen, Georgia Gillis, and Mary Wagner. Special thanks are due to Rhonda Ann Cooperstein for her thorough analysis of special education at the secondary level.

Finally, this report could not have been produced without the invaluable technical assistance of a number of SRI staff persons who made the final draft into a finished product. These special people are Mimi Campbell, Linda Burr, and Shelia Warrington.

# I INTRODUCTION

This is the second annual report of findings from SRI International's longitudinal study of the implementation of PL 94-142, The Education for All Handicapped Children Act, in local school systems. The multiyear study was commissioned by the Office of Special Education (OSE), which was formerly the Bureau of Education for the Handicapped, as part of its overall evaluation of progress in meeting the intent of the law. It is designed as a set of in-depth case studies of local school systems.

Last year, we described how local systems were responding to the law's requirements during 1978-1979, the first year of full implementation, that is, the first year when a noticable amount of federal funds reached local districts. That report was based on interviews with a variety of respondents in 22 local education agencies (LEAs)* representing nine states. This report presents the data collected during the second year, 1979-1980, from 17 of the original 22 LEAs.

The main finding from the first year of the study was that procedures had been established, but because of limited resources and knowledge and organizational barriers, school districts still had a considerable distance to go to realize the intent of the law. Specifically, we found that the LEAs had by and large developed procedures to meet the literal requirements of the law, from holding individualized education program (IEP) meetings to notifying parents of their rights. These new procedural mechanisms were not enough to fully implement the law, however, in that they did not constitute a system wherein each child's needs were identified and matched with a variety of services that were then provided in the least restrictive environment (LRE). We concluded that meeting the intent of PL 94-142 and achieving full implementation would require strategies for obtaining additional resources and for using more efficiently the limited available resources, as well as strategies for providing teachers with more effective training and for crossing current organizational boundaries.

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*LEAs are a diverse group of administrative units below the state level. In addition to local school districts, LEAs in our study include county school systems, intermediate units and joint agreements or consortia among districts.

During the second year of data collection, therefore, we focused on the gap between the needs to be met and the available resources to determine how LEAs cope with demands that exceed resources. We then inferred the extent to which LEAs' practices appear to be extending beyond procedural compliance to meeting the intent of the law.

## Content of the Report

The second year's findings are presented in two chapters. The first describes findings on changes in the local service delivery system. We concluded last year that the gap between demand for services and limited resources would require that limits be placed on who enters the special education system or that services be expanded, or both. Hence, the first two parts of Chapter II examine how districts are handling backlogs and the extent to which services are continuing to expand. We also concluded after the first year that meeting the intent of the law would require changes in personnel roles and responsibilities and a clearer delineation of responsibilities across organizational boundaries. The last two parts of Chapter II consider these system-level topics.

Chapter III presents the findings on how the needs of individual children are being met. Last year's findings had indicated that the LEAs still had much to accomplish in meeting the intent of the law in terms of individualization, and Chapter III describes the progress in this area during 1979-1980. Described first are the changes that occurred in identification and referral and the effect state eligibility requirements produced. We then present our findings about procedures from evaluation to placement (including parent involvement, restrictiveness of the environment, and administrative burden) relative to movement toward full implementation reflecting the spirit of the law.

The intent of both chapters is to compare the findings from the second year with those from the first year wherever possible, so that conclusions can be drawn about change and movement beyond minimal compliance, and to highlight examples of strategies districts are using that exemplify movement toward full implementation.

## Design of the Study

The design of the second-year study was based on the conceptual framework and method of approach developed during the first year and described in the appendix. Our basic procedure for data collection is to conduct interviews in the study sites twice each school year for a period of several days. In the case of four small districts, we conducted telephone interviews in the fall of 1979 and only visited the sites in the spring. Interviews were conducted with school and district staff, school board members, and parents of children with special needs as well as other persons affected by various requirements of the law.

Our original site selection procedure (including the selective elimination of some sites from the study this year) was designed to ensure maximum variation among LEAs in the study on the factors most likely to explain differences in local implementation of the law. These factors include the match between state and federal requirements, state funding formulas, and special education administrative structures and local availability and accessibility of resources. The sites, representing a variety of these factors, included in the second year were:

- California
    - Butte County Consortium
    - Fresno Unified School District
    - San Diego Unified School District
- Florida
    - Hillsborough County Schools

- Illinois
  - Lee County Joint Agreement
  - Northern Suburban Special Education District
- Mississippi
  - Pascagoula Municipal Separate School District
- Oklahoma
  - Guthrie Independent School District
  - Tulsa Independent School District
- Pennsylvania
  - Bucks County Intermediate Unit #22
  - Philadelphia Intermediate Unit #26
- Rhode Island
  - Coventry School District
  - Woonsocket School District
- Tennessee
  - Campbell County School System
  - Memphis City School System
  - Metropolitan Nashville Public Schools
- Washington
  - Edmonds School District

The findings presented in this report are derived from a cross-site analysis of the 1979-80 case study data. Our analysis of findings across the 17 case studies permits us to make inferences about what explains progress or lack of progress in sites beyond those in our sample. When we explain why something is done or when the way something is done is connected to features or characteristics of school districts, generally, we are reasonably certain that the relationship is applicable to LEAs beyond our sample, across the country. In contrast, when we report how frequently we observed some event or activity (e.g., all LEAs were providing additional special education services, the majority of the sites had decreasing backlogs), our claims about prevalence are explicitly limited to the 17 LEAs we actually visited. A study of this type cannot support any inference or extrapolation about prevalence to the nation as a whole.

# II SERVICE DELIVERY SYSTEM

This chapter describes the changes we observed in the special education service delivery systems in the 17 study sites during the 1979-80 school year. We begin with a discussion of strategies that LEAs use to decrease backlogs of children awaiting evaluation or placement, or both. Updates are provided on both the status of initial evaluations and the mandated 3-year reevaluations. Next is described in detail the expansion of special education and related services, in terms of both new programs being provided and expansion of existing programs. In particular, the focus is on expanding services to the preschool, elementary, and secondary student populations and presenting the remaining challenges that special education service delivery systems must confront. We then discuss changes in personnel and roles with particular emphasis on the boundary crosser role between special and regular education. Following an update on inservice training this year, we present various issues pertaining to borders of LEAs' responsibility including due process procedures and hearings.

## Backlogs

### Changes in Backlogs

During 1978-79, we found in all the study sites that limits in available services and in staff trained in conducting evaluations resulted in backlogs of children awaiting evaluation or placement, or both. In 1979-80, we investigated the backlog problem in greater depth and discovered that backlogs had decreased in the majority of sites visited this year and were even eliminated (at least temporarily) in some of them. The development of strategies to decrease backlogs apparently was in response to external pressures in the form of court decisions and federal monitoring via the state; hence, decreasing backlogs was a priority for action in many of the sites during the past year.

Decreases in backlogs were achieved through a variety of LEA strategies including:

- Hiring more evaluation personnel
- Opening new programs or expanding existing programs
- Increasing class sizes
- Decreasing referrals
- Streamlining the testing process
- Using a "second-most-appropriate" placement.

The most common strategy was to simultaneously hire additional evaluation personnel so that more children could be processed more quickly and expand services to accommodate more special education students. One large urban site decreased its backlogs by hiring "tons and tons" of psychologists and continuing to implement a district-wide referral-to-placement model that facilitates efficient processing of children. Prior to this model, evaluation and decisionmaking took place primarily at the LEA level. This often resulted in extensive backlogs and placement decisions that were made by individuals who rarely saw the child on a day-to-day basis. The current model decentralizes decisionmaking to school-based assessment teams. Because of established timelines, this revised process expediates the time between referral and placement, and involves those individuals (e.g., parents, teachers, counselors, principals, assessment personnel and the like) who are most familiar with the child's unique needs. This district was also increasing the services provided, primarily in response to various court orders. One suburban district hired two new psychologists and decreased the time from referral to assessment from 6 months to 30 days because the state education agency (SEA) had identified the backlog as an area of noncompliance. With the more rapid assessment, the number of students evaluated increased by more than 200 during the school year. Because that state funds school districts according to the number of students formally identified as requiring special education and related services (SEARS), there was little difficulty for the LEA in establishing additional classes to serve those students.

An increase in services alone may be insufficient to reduce waiting lists and can even create certain backlog problems. For example, in one district, a dramatic expansion of the resource program (the addition of 144 resource specialists) resulted in an evaluation backlog because the number of evaluation personnel was insufficient.

The other backlog-reducing strategies were less commonly used. About half the sites visited successfully reduced backlogs by increasing class sizes toward the maximum sizes allowed by their respective states. The perceived effects of this practice varied among service delivery personnel. In one site, special education teachers were considering filing a grievance against the LEA on the grounds that increased class size constitutes inappropriate service to their students. However, teachers in another district did not share this concern because the LEA had provided additional classroom aides.

Many LEAs have adopted strategies for obtaining more appropriate referrals; this affects the number of referrals and hence the backlogs. Where referrals were decreased, backlogs were reduced. This was generally accomplished by use of improved prereferral screening techniques or interventions attempted to maintain the child in the regular classroom. (These intervention strategies are described in detail in Chapter III). In other cases, increases in referrals led to corresponding increases in backlogs. In an urban district, a backlog for evaluation developed because an increased emphasis was placed on identifying children. Working together, a special education teacher and a psychologist searched the files and talked to teachers in each school to locate children in possible need of special education services.

Similarly, changes in evaluation procedures affected backlogs. In one rural site, a backlog in evaluation developed because the district began requiring more comprehensive evaluations, including a psychological evaluation, of children referred to the specific learning disability (SLD) program. In contrast, the evaluation backlog was lessened in another LEA that had reduced the test battery from the previous year. In addition, expected caseloads and quotas were set for the psychologists, and three times as many students were tested in Fall 1979 than in Fall

1978. This streamlining of the evaluation process occurred in several districts. In another district, the LEA reduced backlogs by diffusing the testing burden. Although the LEA did not receive funds to hire additional psychometrists to assist the one it has, the LEA requested that special education teachers complete academic testing, which formerly was part of the psychometrist's responsibility.

The least satisfactory solution to backlogs was "second-most-appropriate" placement of children. Mere expansion of current programs to accommodate the backlogs can also thwart the intent of the law to place children appropriately. In a site with placement backlogs and pressure created by due process activity, the district merged the SLD and educable mentally retarded (EMR) categories so that one broad placement option instead of either an SLD or an EMR class existed at each school; at the same time, the district permitted an increase in the number of children per class. Moreover, although these practices were uncommon, we found that a few sites with especially limited resources resorted to placing children in the Title I program instead of in special education or in resource rooms instead of in self-contained classes. In one site, high school students needing a resource room were placed in self-contained classes on a part-day basis because the school did not have a resource room.

### Status of Reevaluations

The requirement to complete reevaluations every 3 years also results in backlogs. Under the regulations, a reevaluation must be conducted every 3 years, or more frequently if necessary, and it should be based on the procedures used in the initial evaluation. Historically, few districts have been accustomed to systematically conducting reevaluations in a formal way. Hence, this is a problem for most districts in the sample. However, several sites had developed some coping strategies, which included hiring more evaluation personnel and streamlining the reevaluation process.

One district found through a needs assessment that it could complete only 70 of the required 160 reevaluations during 1978-79. Consequently, in 1979-80, it allocated part of its PL 94-142 funds to consulting contracts with two psychologists to assist in conducting reevaluations. Another district has been overwhelmed with a reevaluation backlog since the passage of the law. In Spring 1978 (our first visit), this large urban district was under court order to reevaluate approximately 6,000 mentally retarded students alone! During the past 2 years, the LEA has hired many additional psychologists to cope with the evaluation and reevaluation backlogs. The addition of personnel has helped to ease the backlogs in that LEA, as has a recently implemented multidisciplinary evaluation model. Under this model, special education teachers perform educational assessments every year to review a child's progress. Every 2 years, the team meets to discuss each child's placement. If the team determines that the child is appropriately placed, no additional psychological testing is recommended. This LEA is in compliance with SEA guidelines, which do not require a full case study evaluation to meet the 3-year reevaluation requirements. In most sites, however, a full educational and psychological reevaluation is still performed.

Other LEAs are attempting to streamline the reevaluation process. Most often, they implement an annual educational assessment (usually when IEPs are updated), which is accompanied by a psychological evaluation every 3 years. During the past 2 years, a few districts acquired management information systems (MIS) that they plan to use as a mechanism for keeping track of reevaluations and, hence, facilitating their scheduling. For example, in a site that had a backlog of reevaluations last year, the LEA special education director indicated that this year, "with the MIS, we will be able to keep better track of them."

In general, the study sites are just beginning to address the problem of reevaluation backlogs, which are already less severe this year than last. Nevertheless, in a few places the backlogs are serious and apparently will remain so. The worst case is that of an urban district with limited resources and a reevaluation backlog that increased from 4,000 to 5,000 in 1979-80 and is expected to reach 7,500 next year. The LEA lacks sufficient influence with the mental health agency which has the responsibility for conducting psychological reevaluations. The mental health agency, a separate facility regulated by the state department of mental health, has numerous priorities aside from providing services for the school district and hence is slow to conduct reevaluations. Compounding this problem are funding regulations: Title XX funds provide a large share of the agency's budget and those funds cannot be used for the evaluation of special education children. With a worsening financial situation, the LEA has little recourse for solving the problem.

### Summary

The following are the highlights of our investigation of backlogs during 1979-1980:

- Overall, we found greater emphasis on reducing backlogs this year than during last year.
- In terms of initial evaluation and placement backlogs, two effective strategies were implemented to relieve the problem--adding evaluation personnel and expanding services.
- Where resources were not available to accomplish either or both of those strategies, the backlogs were reduced somewhat through strategies to reduce referrals, enlarge class sizes, and streamline testing.
- Districts are just beginning to tackle the reevaluation backlogs. The two main approaches are adding personnel and devising a more systemmatic and streamlined reevaluation process.

## Expanding Services and Increasing Beneficiaries

### Overview of New Programs and Expansion of Existing Programs

During 1979-80, we reexamined patterns of program development and program expansion. Our findings are similar to those of last year but with some notable exceptions.

Last year, we reported that one of the most visible effects of PL 94-142 was on the scope of services provided for handicapped youngsters. Every district we visited in the 1978-79 school year either had increased its existing service delivery system or had added new programs; existing programs were expanded in about half the 22 sites studied, and new types of services were introduced in the others. This year, we found evidence in each of the 17 study sites that additional special education and related services are being provided for handicapped students in one or more of the following ways:

- The introduction of new types of programs for the unserved or underserved (6 sites).
- The expansion of existing programs to serve more students in need of special education and related services (all sites).
- The provision of additional related services enabling students to benefit more fully from their educational experience (9 sites).

In addition, last year we reported that services were expanded for secondary students in only 7 of the 22 sites, whereas this year activity was increased at the secondary level and more services and more program options were available to handicapped secondary students in 14 of the 17 LEAs.

Last year, we had reported that a common theme among sites was expansion of services in a stepwise manner, despite the law's requirement for provision of appropriate services for all handicapped students simultaneously. Even with the infusion of federal funds, no district was able to simultaneously extend new services to both preschool children and secondary students. In contrast, this year four sites that had expanded or refined existing preschool programs by adding services such as music therapy or by increasing the number of beneficiaries served by extending services to younger children (such as those 6 months to 2 years old), also were able to refine or expand the secondary level program as well. Despite some progress in this area, resource limitations continue to constrain LEA administrators from ensuring a free appropriate public education (FAPE) to all handicapped children. Districts are still forced to assign priorities among their special education populations.

In summary, during the 1979-80 school year, new program development or expansion of existing programs, or both, was evident in each of the 17 LEAs. More activity was apparent at the secondary level than was reported last year; and, unlike last year, program expansion and refinement were occurring at the preschool and secondary levels simultaneously.

Thus, LEAs still seem to be striving to meet the full service goal of PL 94-142, with perhaps a slightly greater emphasis on program expansion and refinement. However, challenges still remain, such as provision of programs for seriously emotionally disturbed (SED) students and for the 18- to 21-year-old population. These challenges must be met before LEAs will be able to ensure FAPE for all handicapped children.

## Extending Services to Handicapped Preschool Children

During our 1979-80 visits, we found at the preschool level two interesting examples of new programs for previously unserved students as well as program expansion and refinement. One, a small rural site, introduced its first program for handicapped preschoolers this year. It is aimed at serving students from 6 months to 5 years old--a population that had been recognized as being in need for several years. LEA administrators were especially pleased when the SEA approved this new program because they had made several unsuccessful attempts at initiating a preschool program in the past.

In addition to these new preschool programs, we found examples of preschool program expansion and refinement in four LEAs. One preschool program was expanded to include a home/school facilitator component. This program strives to enable students to generalize to the home skills acquired at school. In addition, a rural site expanded a preschool program serving handicapped youngsters 3 to 5 years old to include those from birth to 2 years. Still another site added two special day classes to its existing preschool program this year and put a special emphasis on the expansion of the program for autistic youngsters. A resource-rich suburban site that is at the point of refining services used PL 94-142 funds to add music therapy to its preschool program.

## Program Expansion at the Elementary Level

Activity at the elementary level seems to be focused principally on the expansion of existing programs, this being true at 12 of the 17 study sites. In more than half of the sites, services available for SLD youngsters were increased compared with last year. For example, a district in one of the intermediate education agencies opened 45 new special education classes this year, a reported 75 to 80% of which were for SLD youngsters. This was described by district personnel as an "overwhelming increase in LD (learning disability) services." Another site has added 50 new SLD teachers to the staff in the past 2 years and has allocated funds for 18 more for the 1980-81 school year. In addition, several existing elementary-level programs for mildly retarded and SED children were expanded.

Two of the California sites have achieved dramatic program expansions, particularly in the resource specialist program under the planned phase-in of the Master Plan for Special Education. Since last year, one of these sites has hired 144 resource specialists and now has resource specialists in each school in the district (including high schools). The other site has expanded the resource specialists program to include practically every elementary school. Under California's Master Plan, the resource specialist has a part-instructional, part-coordinating role in providing individually appropriate special education for mildly handicapped children.

In other LEAs, several new programs were introduced this year, some of which include services for students beyond the elementary level. For example, a class for visually-impaired students was introduced in an urban site in the South; those handicapped youngsters had been previously unserved. A rural site is using its PL 94-142 funds for a pilot program for elementary and secondary SED students, which has long been a recognized need in this community. The program provides a diagnostic classroom, strong psychological support, and direct assistance by aides to reinforce positive behavior patterns as well as to support the integration of the students back into their home school program when such a transition is appropriate. This year, a programmatic emphasis was on such integration, thus fostering the LRE concept and minimizing the costly transportation of students, which had become a major concern in this rural area this year. Next year, this program is expected to contain an additional full-time component.

Two other sites have initiated new SED programs that offer services to elementary and secondary students. A resource-rich suburban site used some of its PL 94-142 funds to introduce an alternative half-day program for groups of two to four severely disturbed primary and intermediate SED students. These students had previously been served either through homebound instruction or with a full-time aide. This new program option is representative of that site's ongoing goal of program refinement.

In summary, several new programs were introduced at the elementary level this year. The primary activity at the elementary level, however, seemed to be the expansion of existing programs. Although this included the expansion of services for students with a number of different handicapping conditions, more than half the sites provided increased services for SLD youngsters.

### Program Expansion at the Secondary Level

As noted earlier, 14 of the 17 LEAs either expanded or refined existing programs or instituted new program options for secondary special education students this year. This represents considerably more activity at the secondary level than was reported last year. The most growth was seen in--

- Vocational program options
- Vocational assessments
- SLD program options.

This year, several sites focused on improving vocationally oriented services for handicapped secondary students, a traditional problem area. For example, in an eastern industrial site, the area vocational center hired a special educator to develop appropriate vocational training programs for the handicapped. His role includes working with the high school's work experience program and expanding a specific skill-training course at the vocational center. In addition, an urban site that has been faced with severe budgetary constraints, introduced a new sheltered workshop for students 16 to 21 years old. Another large urban LEA used PL 94-142 funds to expand services provided by vocational skill centers to include more appropriate services for the handicapped. A suburban site instituted a new woodworking program at its special facility for the more severely impaired students.

In addition to some expansion of vocational program options, we also noted increased efforts in the area of vocational assessments for handicapped youngsters. Three sites added a vocational assessment component to their secondary special education programs this year. One site reported that this vocational assessment will allow focusing more attention on the individual vocational needs of special education students, many of which have not been attended to in the past. A vocational evaluator from another site said,

> By exposing the client to a variety of work tasks and work experiences, as well as aptitude and achievement tests and interest inventories, the work evaluation helps the client select vocational goals which he or she will find relevant and meaningful. Clients who may have been exposed to minimal work experiences in the past may now make vocational choices based on information rather than lack of it.

We also found that the trend of providing more SLD services for secondary students continued. For example, a large urban site used some of its PL 94-142 funds to increase the number of SLD resource rooms at the secondary level. Another LEA introduced its first high school SLD resource room this year. Students who needed SLD services had been routinely served previously in a special education prevocational program. Finally, a high school in an intermediate education agency, which historically had served SLD youngsters in resource rooms, opened its first full-time secondary SLD program. Under this program, students who need more extensive remediation are served more appropriately than they can be in the resource room setting.

Several of the new programs for SED youngsters described under "Program Expansion at the Elementary Level" include placement options for secondary students as well.

Thus, we found continued progress at the secondary level in expanding vocational and SLD programs and services for handicapped students. Secondary special education programming is still considered to be lagging behind, however. Some of the particular difficulties found at the secondary level are discussed later in this chapter under "Secondary Special Education Programs."

## Provision of Additional Related Services

Almost half of the study sites reported providing additional related services this year, as compared with last year. Two sites are providing new related services (that is, services never previously offered by the districts), including music therapy and play therapy. Music therapy is being offered to severely handicapped 3- to 5-year-olds at an early childhood center in one site; in another LEA, play therapy is being used in a new program for SED youngsters. Other sites have added related services that have existed but not with adequate coverage. Such services typically included:

- Occupational and/or physical therapy
- Adaptive physical education
- Speech therapy
- Psychiatric consultation services.

Several sites used PL 94-142 funds to increase the availability of related services to handicapped students. For instance, one intermediate education agency used the funds specifically to provide additional support services such as occupational therapy (OT) and physical therapy (PT) in the individual districts in its service area. Two sites used PL 94-142 funds for additional adaptive physical education (PE) services. For example, one district hired an assistant to deliver direct and supplementary adaptive PE services, as well as to consult with regular PE teachers.

## Secondary Special Education Programs

The data on the school-level impact of the implementation of PL 94-142 that were collected and analyzed during the school year 1978-79 mainly concerned special education at the elementary school level. Therefore, during the Fall 1979 site visits, our emphasis was on investigating special education at the secondary level, considering the problems and solutions specific to this level. High school programming is generally regarded as a problem area in special education. For example, in most of the sites we visited, secondary programming is still catching up to that provided for elementary school students. Districts are having to add and/or expand programs for handicapped children (e.g., SLD) just coming up through the school system.

Because of this lag in special education, we discuss it here in greater depth and highlight some of the specific difficulties and successful practices that we identified in the study sites. To understand the organizational complexities of secondary schools and the various placement options available to secondary students, a knowledge of some of the purposes and assumptions underlying secondary special education as expressed by administrators, counselors, and teachers is helpful.

## Purposes and Assumptions of Secondary Special Education

The purposes and assumptions of special education at the secondary level differ from those at the elementary level in two fundamental ways:

- Educators perceive that the role they can play becomes more limited as children grow older. With older children, educators can control fewer of the factors important in determining whether a child will learn.
- The educational goals for secondary students are necessarily different. What the school attempts to accomplish (or is capable of accomplishing) for a special education student differs at the secondary level.

At the secondary level, the effectiveness of the educational program depends more on the student's effort to learn and agreement with his or her education plan. Younger children are more easily put into a situation "for their own good" and are more likely to accept their learning role without question; high school students are less likely to accept their instructional program without question. To be helped, secondary students must make themselves available for help--both physically (by not dropping out of school) and mentally. Because secondary students are close to adulthood, educators recognize that the students are to some extent responsible for their own lives.

For these reasons, and because secondary students are often included in placement decisionmaking, educators pay more attention to the secondary student's desires and emotional needs, in addition to academic needs, in deciding his or her educational placement. Consequently, educators may not place a mildly handicapped secondary student in special education even though the placement would be appropriate. This decision is made relatively often when the student expresses a preference not to be placed in special education because of peer pressure, fear of the stigma, or other concerns of high school students. These attitudes of educators toward secondary students were expressed by a resource teacher in one site we visited who stated, "I take what I can get...if a person doesn't want to be there [in the special education resource room] there's no point in having them there...these are young adults." This teacher was also very careful of the students' emotional needs: "For some kids, I'm afraid to order [psychological tests] because it would hurt their egos too much."

Parents' input is encouraged as well. School staff members in several sites, however, expressed the belief that parents are not as actively involved in their children's high school program as they had been at the elementary level. For example, one high school teacher said "We don't have time to beat the bushes to get parents in," whereas an elementary counselor at the same site said "I'll go out and pound on the doors if necessary to get a kid placed."

The primary difference in educational goals for secondary and elementary students is that secondary educators focus less on determining the causes of the student's problem and remedying it. Instead, they tend to deal with the student as he or she is; they do not assume that the causal factors can be eliminated so that the student will become "normal." Therefore, the goal shifts from remedying the original problem to achieving specific objectives such as gaining work experience and related basic skills, gaining specific vocational skill training, passing competency tests, and staying in school to graduate.

Secondary educators must prepare the student to leave school rather than deal with his or her "potential." Although remediation efforts do not necessarily cease, the focus shifts to providing the secondary level student with "real world" experiences so as to help him or her become an independent citizen. In addition, attempts are made to direct students with a history of academic failure into an area such as vocational training, where success depends less on reading and writing skills.

## Organizational Complexities of Secondary Schools

In addition to having slightly different underlying assumptions and goals than elementary schools, high schools have certain organizational features that make secondary special education programming more problemmatic. Secondary schools differ from elementary schools in the following ways:

- High schools are generally larger and more bureaucratic (i.e., more departmentalized and more administratively complex) than elementary schools, so coordination of programming is not facilitated. Indeed, fragmentation of programming can be a problem for the secondary special education student.
- Within the high school are more boundaries because more groups or agencies (e.g., vocational education, special education, the English Department, the Mathematics Department) are involved in high school programming.
- In high school each student generally has many teachers, whereas in elementary school each child may only have one; thus, each high school teacher faces scores of students each day. Because of graduation requirements, competency tests, and the like, high school teachers must be more subject focused, less child focused, and less oriented toward individualized instruction.

The comments of several educators in the study sites reflected these issues. The following comment, from a high school administrator, is representative:

> There is a lot of resistance to special education at the secondary level. It's not a priority. The structure of secondary schools makes individualization difficult. Look at it from a practical point of view--there is too much changing of classes; graduation requirements are an issue--now we're talking competency testing. All of this on top of "LRE" and "appropriate education." I'm ready to give up.

An example of a coordination problem was found in a district where a child had left a special education school for the handicapped and enrolled himself in a regular high school. Several weeks elapsed before the high school administrators realized he was from the special school and needed specialized help. A principal from another site said that many secondary teachers are not really attuned to detecting problems related to special education; they assume that such students have been identified in the earlier grades. They tend to believe that a student who is not achieving either is "not trying" or is "just slow." Many teachers conduct their classes in a traditional lecture style and students "sink or swim."

A further example of the type of program fragmentation that can easily occur at the high school level was provided by an administrator at a suburban site. Thorough vocational assessments are given to all ninth and tenth grade special education students in this LEA. The results of these assessments, however, are rarely used to match a student with an appropriate vocational and academic program. This information is not always passed along because a vocational assessment specialist must share relevant data with a special educator in time to have it reflected on the IEP and consequently in time for it to affect the type of program and job the student will pursue. The school administrator did a random check and discovered that one student who, according to the data supplied by the vocational assessment, has a strong aptitude for mechanical work and enjoys the outdoors, is spending his afternoon wiping tables at the local mall. In the mornings he has PE, band, and English before going to work. This is what his program has consisted of all year. The administrator was distressed to find such a situation and suspects that it is not all that uncommon. He called the parents of this student and asked if they were satisfied with this arrangement. Their major concern was whether their son would have enough credits to graduate. The administrator told them they were asking the wrong questions--they should be asking "What skills will he have when he graduates?"

Some reorganization is to occur at this site over the summer, aimed at better coordinating high school students' IEPs with the data provided by the vocational assessment. A higher priority will be placed on monitoring job placements as well. In addition, the goal of the district has become to provide each parent of seventh or eighth grade handicapped students with a long-range educational and vocational plan for their child. This would include:

- Recommended course work in academic and nonacademic areas.
- Suggested job training and vocational skill building activities.
- Suggested job-related activities and experiences.
- Suggested extracurricular activities to be offered to the students through grade 12 or age 21.

This plan would also identify specific opportunities that may be available to the student upon graduation from the district's program. An LEA administrator, who has a special interest in secondary education, views this as a positive step, however long overdue.

Finally, a supervisor from a large urban site expressed frustration at high school special education programming, saying "At the secondary level it's atrocious; so much is needed--teachers are isolated, kids are not accepted."

## Range of Programs and Placement Options at the Secondary Level

A wide range of programs and placement options are available to secondary handicapped students across the 17 study sites. These programs include:

- Low-level tracking (in regular education)
- Resource rooms
- Self-contained special education classes
- Regular vocational education or vocational technical centers
- Work-study/work experience
- Separate facilities for special education students.

These options are not mutually exclusive; a special education student often has an educational program combining several options such as low-level tracking, resource room, and regular vocational education.

However, a major problem we found is that rarely does such a comprehensive range of options exist within a given LEA. For example, a high school in one site has no low-level tracking because the school is small and geared to college-bound students; thus, special education teachers complain about the lack of appropriate classes into which students can be mainstreamed. The range of options available at a given site thus necessarily influences how a student with a specific handicap will be served, and this varies substantially across sites (probably more at the secondary level than at the elementary level). To illustrate, we present a pair of contrasting sites; one in which SLD students are primarily in vocationally oriented programs and one in which the focus for SLD students is more academic. These programs vary because of the range of options available in each site.

The first site has no resource rooms at the high school level. Secondary SLD students are automatically routed into the special education prevocational program comprising students in various handicap categories, such as SLD, SED, and EMR. Prevocational advisors organize and individually set up schedules for each special education student. Theoretically, the possible components of a program include regular education academic classes, regular vocational education classes, classes in basic academics and job readiness skills taught by the prevocational advisors, and work experience. Despite the fact that an SLD student can be scheduled for a program with an academic focus, this did not seem to be happening. Typically, SLD students received work experience and a minimal academic program.

In contrast, we visited a high school in a different LEA where SLD students spend the majority of their day in the low-level track and receive academic remediation in a resource room. This high school does not have a work-study program, and the only vocational training an SLD student might receive is an industrial arts or shop class.

In summary, although we found a wide range of placement options available to secondary students across all 17 sites, we rarely found this range of options within sites. Thus, the nature of the program in which a secondary student participates is largely determined by what is available at the sites, which seems to vary substantially. Following is an elaboration of the types of vocational program options available at the secondary level.

Vocational Program Options--As mentioned, a frequent emphasis at the secondary level is on involving special education students in activities that prepare them for the world of work. Although academic subjects are not totally disregarded, vocational education and work-study/work experience activities often become an integral part of a student's program. Consequently, we explored the various vocational program options existing with the 17 sites.

We found that vocational education is defined differently in different schools and communities. It often includes such vocationally oriented classes as typing, business mathematics, home economics, and industrial arts. However, some high schools have more specialized vocational programs (such as carpentry and drafting) that are designed to prepare students for specific careers or vocations. Generally, vocational education was designed for regular education students who would be entering the world of work soon after graduation. Most often, only the upper range of special education students (SLD and a limited number of higher functioning EMR and SED students) participate in regular vocational education programs.

Some LEAs have separate vocational facilities, often called vocational technical centers or vocational high schools. These schools offer specialized vocational or career training in areas such as carpentry, electronics, food service, auto mechanics, and the like. They can include a work-study component as well. As with vocational education in a comprehensive high school, these programs are most often geared for regular education students and usually only the upper range of special education students participate in them. In certain cases, however, these vocational facilities have separate programs for EMR students; for example, in one site the school had a separate EMR program located in a wing of the building.

Because both regular vocational education and vocational technical centers were primarily established for regular education students, special education students encounter problems in entering these placements. Special education students have tended to be excluded from these options in the past, but this seems to be changing. For example, several sites have used the 10% vocational education set-aside funds and have allocated spaces for special education students.*

Several factors interfere with the full participation of special education students in vocational programs. The major inhibiting factor for many special education students is academic skills. When vocational courses include an academic component, many special education students have problems, particularly with reading. Other academic skills can also create problems; for example, some trades (such as electrical) require mathematical skill levels beyond the capacity of many special education students. For these reasons, certain special education students are excluded from many of the vocational program options; special education students may only be admitted to those courses geared toward careers (such as food service, masonry, or maintenance work) not involving higher-level academic skills. Other factors that may act to exclude special education students from some regular vocational education programs include the possible danger involved in some options (e.g., courses in which complicated machinery must be used), financial problems involved in transporting students (e.g., physically handicapped) to the vocational or work options involved in these programs, and the resistance of many regular vocational education teachers toward special education students.

However, we found evidence of increasing attempts to adapt vocational training programs to handicapped students and to reduce teachers' resistance to the inclusion of special education students. Some examples of adapting these programs include:

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* Under the Vocational Education Act Amendments of 1976 (PL 94-482), at least 10% of each state's allotment is available to pay a portion of the cost of vocational education for handicapped persons.

- The use of vocational resource rooms to provide additional support to special education students participating in regular vocational or shop settings in at least two sites.
- The use of resource teachers to assist vocational education teachers adapt programs to accommodate special education students.

In addition, one LEA wrote an inservice grant that would provide aides and training to regular vocational education teachers working with handicapped children. The special education department in another site is proposing to design materials for use by handicapped students in vocational education. Finally, to overcome teacher resistance, vocational teachers in several sites were not told that a particular student was in special education until after the student had been in the class for a while and had been given a chance to succeed.

Work Study/Work Experience--Some sites had work-study/work-experience programs (emphasizing basic skills related to the world of work, work readiness skills, and on-the-job experience) designed specifically for special education students although regular education students were sometimes included. Historically, these programs were designed for special education students (e.g., EMR) who could not be admitted to the regular vocational education program or to vocational technical centers either because they did not have the necessary skills or because the history or tradition of the school or district was to serve them separately. Thus, these programs most often served EMR students in the sites we visited; however, sometimes other special education students (e.g., SLD, SED) participated as well.

Work-study programs were designed principally to provide students with on-the-job experience. However, sites varied in terms of these programs. Sometimes the nature of the job was viewed as less important than the fact that the student had a job and was exposed to the world of work. These work-study programs often emphasized "prevocational" skills such as how to find a job, how to fill in an application, how to act on a job--instead of specific job skills. Although the prevocational emphasis of many work-study programs might be appropriate for many special education students, we found at least one site where many parents complained about the lack of specific training in job-related skills.

## Successful Program Strategy at the Secondary Level

Despite problems at the secondary level related to coordination, boundaries, and limited placement options, we found an exceptional vocational program in a small industrial site. It illustrates how creative program planning can be blended with the local contextual features of a community to best meet the needs of all students. This program took the form of a vocational technical center, run by the district's vocational education staff. The majority of both regular education and special education high school students in the district go to this center on a part-day basis. The center's comprehensive and effective program involves both vocational education and work-study in fields such as cosmetology, industrial foods, welding, plumbing, masonry, carpentry, office management, and secretarial skills.

The center, through its advisory council composed of business and community representatives, has made an effort to involve local business in program development. The advisory council is an integral part of the center, reviewing new programs to determine whether they are relevant, keeping the center advised of new techniques, and reviewing the technical qualifications of new staff. This ensures that the training received at this center will be relevant and applicable to the jobs available in the community. In addition, employers of former students know that they can call upon the center for help with students placed with them if any problems arise at work. This involvement of the community has given it a stake in the program's successful operation and has enabled students to find jobs after graduation more easily.

The LEA administration has taken a unique approach to developing a program that will serve regular students as well as all students with special needs. Instead of applying for federal program funds (e.g., the 10% vocational education set-aside for the handicapped), which require that separate services be provided for separate groups of students to avoid comingling of funds, the LEA has developed a program that comprises an assessment component, vocational training, academic support, and work experience for all groups (regular students, disadvantaged students, handicapped students, and so on). For example, instead of excluding some special education students from a welding class because of the level of difficulty involved or developing a separate class for them to master the skills necessary to function as a welder, the staff has broken welding down into various components so that a student can learn welding at his or her own level of ability; the student can later get a job at this level and be successful. The special education students also receive help from the special education teachers at the regular high school. This support is related to students' work at the vocational program; for example, a student learns to spell words related to his or her chosen trade, to do mathematics with work-related problems, and the like. In addition, the vocational counselors often do not inform the vocational teacher that some of the students are in special education until after the students have been in the vocational class for a while and are working out well; this helps to overcome any initial resistance the vocational teachers may have to having special education students in their classes.

This excellent vocational education program depends greatly on the local context. In this city, heavy industry is the largest employer and therefore provides employment in a wide range of skill areas and levels. The city is also of such a size that school, community, and business interaction are conducted on a one-to-one, first-name basis; school-community-business relations are quite good. Finally, for the majority of the community, a blue collar job is a successful career and not a low-status expectation.

### Remaining Challenges

Despite overall progress in expanding special education delivery systems at all levels, individual sites still have specific areas of need that depend primarily on the local context. These unique needs or remaining challenges continue to be heavily influenced by such diverse factors as the local tax base, parental expectations, state funding formulas, and the history and tradition of special education service delivery. For example, several study sites have difficulty in supplying adequate amounts of related services such as OT, PT, and speech therapy. One reason given for this gap is that OT and PT in particular have not been historically provided by the public schools in some sites. Typically, these services have been available at medical facilities for a fee. They have not been perceived as being the responsibility of the LEA. In other sites, the SEA special education reimbursement system does not directly support these services. Thus, LEAs faced with severe budgetary constraints often do not have adequate funds to supply these services in appropriate quantities.

Similarly, the need for additional counselors was mentioned in several sites. One administrator said that elementary counselors were particularly difficult to add because although they are badly needed at the school level, they are not mandated by the SEA; thus, they are not state reimbursed. As he stated, "The problem is we have to pay for them out of our pocket."

One large urban site offers a wide range of programs, placements, and services, but all these are insufficient to meet the students' needs. This results mainly from a pattern of budget cuts for special education over the past several years. Reduced enrollment of white students has resulted from "white flight" in the face of forced busing and, because of lack of local support for public schools, the LEA has not been able to pass a school tax levy for several years. The fact that taxes have not increased despite rising costs has left the district with insufficient funds and cuts have thus occurred across the board.

In contrast, a wealthy suburban site that has an increasing SED population with abundant needs and parents with high expectations is faced with the challenge of developing a range of program options for these students as well as providing psychological counseling, therapy, and social work services. This district's need for adequate amounts of therapy and an extensive range of placement options reflects community expectations as well as the high caliber of special education programming in the district.

Program gaps vary widely among sites. The problems in secondary special education--particularly the need for work-study and vocational education--have been discussed. In addition, we have identified the following needs as particularly great:

- SED programs
- Services for the handicapped population aged 18 to 21.

The problems associated with meeting these needs are discussed below.

### SED Programs

Providing appropriate special education and related services for SED students is still regarded as an area of difficulty and underservice in many of the LEAs in our study. Thirteen sites reported specific problems with the provision of appropriate services to this group of handicapped students. The nature and degree of their problems vary greatly, however. For example, two sites do not have special education programs for the emotionally disturbed. In one of these districts, such programs are not considered an urgent need because the school psychologist is "convinced that emotional problems are caused by learning problems." Therefore, the focus is on remedying the learning difficulty, sometimes with outside counseling for the emotional problem. In the other district, SED students are simply not formally identified because no programs exist to serve them. "We don't have problems with ED--there aren't any ED children here," we were told in a half-serious manner. Next year, however, this district plans to introduce three new SED programs that may be called "behavior management" classes so that parents will be more accepting of such a placement. In this site, parents are particularly sensitive to the stigma attached to "emotional disturbances." As one administrator commented, "They will send their kids privately for help so no one knows." In contrast, one resource-rich suburban site that routinely provides psychiatric counseling to SED students who need it to benefit from special education is concerned with the need to develop a broader range of placement options for SED students within the district.

Common concerns across sites regarding SED programs include:

- Waiting lists
- Limited full-time placements
- Lack of appropriate treatment facilities
- Inadequate counseling services
- Coordination with other agencies
- Staff availability.

Many LEA directors and teachers expressed concerns about inadequate amounts of available services for SED students. They spoke of waiting lists and the lack of available placement slots for these students. In some sites, for example, not enough programs exist to serve all the identified SED youngsters. Therefore, when all of the classes are full, a student might have to wait for an opening and be inappropriately served in a regular school program in the interim.

A similar program gap was found in limited full-time SED placements. For example, some students might be receiving only several hours of resource room services when they really need a more intensive full-time placement with support services as well. As one junior high counselor lamented, "They need more than a resource room."

An assistant superintendent from a large urban site said that her greatest need was for an SED placement option separate from the school, such as a day treatment center or crisis intervention facility. She said that she had been working for several months trying to find an appropriate placement for a junior high school boy whom she considers to be a danger to himself. She was trying to use other community resources because "We have no funding to set up our own program." Similarly, another LEA was faced with inadequate programming for a 15-year-old schizophrenic who was said to be "running around the community rather than in a special education placement" because no appropriate program is available for him within the state. This particular state does not, in fact, have an institutional program for SED youngsters. Children needing an institutional placement are usually served outside the state. However, this LEA administration is against placing students in private out-of-state residential schools because of their costs. As the LEA superintendent stated: "The only thing we really resent, and we shouldn't, is to pay for a child to go to Missouri or Texas to a private residential school..." Thus, districts faced with such a dilemma sometimes choose to inappropriately serve an SED student rather than set the precedent of using private out-of-state placements.

Adequate counseling was a gap found in some sites as well. As one teacher bluntly put it, "It's impossible for the district to supply all the needed counselors...." Some sites have inadequate counseling services because psychologists and school counselors are "spread too thin" performing evaluations, trying to reduce backlogs, and tending to such administrative tasks as student scheduling and parent conferences.

Other sites that historically have relied on community agencies to supply counseling have encountered difficulties as well, particularly with guaranteeing the provision of counseling services to the students in need as required under PL 94-142. This issue of borders of responsibility regarding mental health services is discussed more fully in a later section of this report.

In addition to the previously mentioned problems, several LEAs have experienced difficulties in recruiting qualified staff to operate programs for emotionally disturbed youngsters. We found this to be the case even in the most progressive resource-rich district. To illustrate the problem of staffing the district's SED program, the LEA director of personnel said, "Often I need to search for a live warm body."

Nonetheless, we emphasize that despite the difficulties involved in appropriately serving SED youngsters, three sites did add new SED programs this year, three other sites expanded their existing programs, and one site has plans to introduce a SED program next year.

## The Handicapped Population 18 to 21 Years Old

According to PL 94-142, a free appropriate public education is to be made available for all handicapped children aged 3 to 21 not later than September 1, 1980. This requirement does not apply, however, to handicapped children aged 3 to 5 or 18 to 21 if it is inconsistent with state law. We found that six of the nine states participating in our study specify in their state laws and regulations that special education and related services must be provided to exceptional children between the ages of 18 to 21. One state requires that these services be provided for individuals 18 to 20 years old, and in the remaining two states the provision of services to the 18- to 21-year-old handicapped population is permissive.

Despite this apparent commitment by the nine states to extend services, in general we found that efforts aimed at expanding programs and developing new options for handicapped students aged 18 to 21 were less systematic than those for preschool youngsters. The general trend seems to be to offer secondary students the opportunity to stay in existing programs until they are 21. Although many of the more severely impaired youngsters (such as the trainable mentally retarded, TMR) choose to stay in the programs until they reach age 21, we found relatively few examples of mildly handicapped students following this pattern. Generally, mildly handicapped students tended either to graduate or to drop out by the time they turned 18, although we did find some exceptions. For example, one site opened a new sheltered workshop this year for severely handicapped youngsters from the ages of 16 to 21. Another site has provided individualized services to a 20-year-old student in response to a parental request. The student attended the state school for the deaf and graduated without any formal vocational training. The parent requested that the LEA provide this type of training, which it agreed to do until the student reaches age 21. The LEA has assigned an interpretor for the deaf to work with her in class to allow her to participate fully in vocational classes. This has cost the district $15 an hour.

Several sites have informal mechanisms for following up on students in the 18 to 21 age range. In one site, students can return to high school after graduation (or after they have dropped out) for academic remediation such as to improve reading skills needed to enhance their job performance. In another site, employers know they can call on the area vocational center (which serves handicapped youngsters) for help with former students if problems arise at work. In several other sites, directors of special education try to maintain informal contact with students after graduation.

Students with certain handicapping conditions often have the opportunity to receive services from agencies (such as state departments of vocational rehabilitation) after they graduate or after they leave the public schools. Interestingly, little formal coordination with area junior colleges has been pursued to provide additional services for the 18- to 21-year-old students. However, one LEA in an academically oriented community provided SLD students and their parents with information about a college program designed for students with specific learning disabilities.

In summary, LEAs have not directed a significant amount of attention toward expanding or developing new programs specifically for students aged 18 to 21. This has remained a relatively low priority for many of the LEAs.

## Summary

The most significant of our findings during the 1979-80 school year regarding expansion of services and increasing the beneficiaries of them are the following:

- New program development and/or expansion of existing programs was evident in each of the 17 LEAs. Unlike last year, this year a few instances were found of program expansion and refinement occurring at the preschool and secondary levels simultaneously.
- At the preschool level, new programs or program expansion and refinement occurred in one-third of the study sites.
- Several new programs were introduced at the elementary level this year. The primary activity seemed to be the expansion of existing programs. Although this included the expansion of services for a number of different handicapping conditions, more than half of the sites noted an increase in services for SLD students.
- Progress continued at the secondary level in expanding vocational and SLD programs and services to handicapped students. However, secondary special education programming is still lagging.

- The amount of related services being provided to handicapped students was increased in almost half of the study sites.
- Educators perceive that they play a more limited role in the lives of students at the secondary level. In recognition of their increasing responsibility for their own lives, secondary-level students are often included in the special education placement decisionmaking process.
- The educational goals for secondary students are necessarily different from those for elementary students. The nature of the goals shifts from remedying a student's original problem to preparing him or her to leave school and enter the world of work.
- Certain organizational features unique to secondary schools make special education programming at that level more problematic than at the elementary level. Examples of coordination problems and program fragmentation were found more frequently at the high school level.
- Although a wide range of program options exists at the secondary level across the 17 study sites, rarely does a comprehensive range of options exist within a given LEA. The nature of the program for a high school student is largely determined by what is available within the LEA, which varies substantially across the study sites.
- Special education delivery system gaps vary greatly among sites. Specific areas of need most often depend on the local context of a given LEA. For example, such factors as the local tax base, parental expectations, state funding formula, as well as the history and tradition of special education heavily influence the unique needs of a district. However, we have identified the following gaps to be common remaining challenges for LEAs:
    - SED programs.
    - Services for the handicapped population aged 18 to 21.

## Changes in Personnel, New Roles, and Inservice Training

The first part of this section describes the overall change in the personnel who constitute the special education delivery system. Next we discuss the "boundary crosser" role and its expansion at the elementary and secondary levels, as well as at the administrative level. Then follows a description of other new roles that have been developed, partly in response to the law. Finally, an update on inservice training is provided.

## Changes in Personnel

The major personnel change observed this year in the LEAs was the addition of teachers required for the new classes and/or expanded programs described in the preceding section; i.e., where large program expansion occurred, the teaching staff was increased significantly. In addition, some LEAs have hired more psychologists and more personnel to deliver related services, such as occupational or physical therapists and social workers.

## The Boundary Crosser Role

Last year we identified boundaries, particularly the boundary between special education and regular education, as a source of problems for implementing PL 94-142. This was especially true in areas that required some type of coordination in such activities as mainstreaming and IEP development and use. We found that the personnel whose role is to facilitate such coordination, whom we called "boundary crossers" had a significant effect in minimizing barriers to implementation. Such staff members are performing either a new role or their old role significantly expanded. A prime example is the expanding role of the diagnostic/prescriptive teacher, an education position that is becoming of importance.

This year, we found expansion in both the number and types of boundary crossers. Last year, 8 of this year's 17 sites had boundary crossers. This year, we found that the role had expanded in four of the eight sites and two new sites had boundary crossers. These roles exist at both the elementary and secondary level, although the prevalence is far less at the secondary level, and at the administrative level. Examples of how the boundary crosser's role is being performed at these levels are as follows:

### Elementary Level

The following descriptions demonstrate how this role operates in the LEAs. Some districts may have the same boundary crosser role (e.g., resource specialists).

Resource Specialists--In one state in our sample, many more resource specialists were hired for the 1979-80 school year. In fact, one large district hired 144 resource specialists since last year as part of its expansion into the state's Master Plan for Special Education, and the LEA now has a resource specialist in every school in the district. Under the Master Plan, resource specialists provide individually appropriate instruction for learning handicapped children through a part-instructional, part-coordination role. In addition to the instructional responsibilities,* resource specialists--

- Provide inservice training for school staffs.
- Provide consultation services and materials for regular classroom teachers.
- Act as a liaison with teachers of self-contained special education classes to expedite successful integration of students.
- Coordinate placement and IEP meetings.

System-Wide Itinerant Resource Teachers--One large urban district has four teams of system-wide itinerant resource teachers. These selected special education teachers travel from school to school to help regular teachers who have mainstreamed special education students in their classes. In addition, they assist both regular and special education teachers in writing IEPs, implementing the IEPs, and evaluating objectives. This program continued to expand this year because of increased numbers of school-level training teams, consisting of one regular education teacher and one special education teacher at each school. The itinerant teams train these school-based teams to provide ongoing inservice training for the rest of the faculty, as well as to act as on-site resource personnel to facilitate coordination between regular and special education teachers.

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*To allow these teachers to concentrate their efforts more on teaching, the SEA is planning some changes in the role of the resource specialists to relieve them of some of their administrative duties in the area of evaluation.

Mainstreaming Aide--A progressive site that had a district-level boundary crosser in the past (the special education supervisor) used PL 94-142 grant funds to hire an additional school-level boundary crosser at one elementary school. The role of the mainstreaming aide* is to facilitate the coordination of mainstreaming activities so that the school's commitment to mainstreaming "wouldn't just be rhetoric." The role has been successful, and the special education supervisor plans to use available money to fund more mainstreaming aides in other buildings.

School-Based Resource Teacher--In a site that previously did not have boundary crossing personnel at the school level, a new position of school-based resource teacher has been created in one elementary school. Thus far, this is the only school-based position in the district; all other resource teachers work on an itinerant basis. The position was created in response to the need to coordinate services to the large number of physically handicapped students at the school. The teacher attends IEP meetings, coordinates service delivery to special education students, follows up on service delivery, and serves as liaison with the regular education teachers to facilitate mainstreaming.

Special Education Instructional Advisor--In a large urban site that had few boundary crossing personnel in the past, the role of one member of each school-based multidisciplinary team is evolving into that of a boundary crosser. This person is the special education instructional advisor, whose original role was to perform educational evaluations. However, as evaluation backlogs come under control, the emphasis of this role is shifting to include more consulting with regular education teachers. For example, an instructional advisor who is assigned to several schools said that "the job is what you make it." As the evaluation backlog is diminished, the advisor acts as a liaison to the regular classroom for mainstreamed children, divising techniques (such as special forms) to facilitate communication between special education and regular teachers concerning special education students (e.g., their background, special problems, areas to work on).

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*This is a redefinition of a similar position that existed a few years ago but was eliminated because of budget problems.

Nonclassroom Resource Specialist--In a site that already had boundary crossers between regular and special education teachers, we saw evidence of a role designed to cross a boundary within special education--between district- and school-level special education staff. The nonclassroom resource specialist is intended to interpret the psychological jargon of district-level evaluations to meet the needs of the receiving special education teacher. As the special education supervisor stated, "We wanted someone speaking the language of teachers." The nonclassroom resource specialist's responsibilities include the administration of educational evaluations, the interpretation of psychological terms for the receiving special education teacher and their implications for teaching (e.g., the formulation of instructional goals), consultation with parents, and coordination of personnel involved in a child's special education placement. Unlike many other boundary crossers, this person has not generally been involved in any follow-up after the student has been placed.

Many boundary crossing personnel perform innovative functions to facilitate coordination between regular and special education. For example, one district employs an itinerant teacher of the orthopedically handicapped (OH) to coordinate mainstreaming for OH children. This person acts as a coordinator by--

- Providing one-to-one training for regular teachers.
- Taking over the regular class so that the regular teacher can observe the students in occupational or physical therapy.
- Teaching the OH class so that the OH teacher can observe the regular classes to see the progress of the fully mainstreamed students and to determine what is required to help prepare other students for mainstreaming.

## Secondary Level

Most boundary crossers are at the elementary level, but we did find a few in the secondary-level programs as well. Several strategies of interest are described below.

Tutor-Counselor--The role of the tutor-counselor in one site was significantly expanded to encompass the high school as well as the junior high school. This role was created as part of a strategy by the special education director 2 years ago to ensure that students mainstreamed at the secondary level would meet stated IEP goals. The tutor-counselor coordinates programming for high school students who are in a low-level track and who also may be receiving some special education help and/or some work experience. The student reports to the tutor-counselor every other day. The counselor monitors the student's program and progress, talks with both the regular and special education teachers involved with the student, advises and counsels the student, and may arrange for or provide additional tutoring. One high school mathematics teacher, who has two special education students mainstreamed into one of his classes, was positive about the program and believed the tutor-counselor role was "giving me a crutch to fall back on, and coordinating (their programs) for me."

Resource Specialist--At two sites, the role of the resource specialist is also that of a boundary crosser at the secondary level. This combined role is complicated by the complex organization at this level (e.g., departmentalization, size of the student population), particularly at large high schools. To alleviate the problem of the lack of vocational education for the handicapped at the secondary level, the SEA plans to have the high school resource specialist act as the program manager to attempt to tie together academic and vocational education (functional/life skills) for special education students.

Liaison Program--Some special education teachers in one high school district are liaisons who provide consultation for regular education teachers with mainstreamed students. The liaison program is not a new one and its acceptance varies across the district.

As discussed in the preceding section, the boundaries to be crossed to implement the intent of PL 94-142 at the secondary level are more numerous than the elementary level. Although only a few sites had formal secondary-level boundary crossing personnel, more than half had informal coordination with vocational education to provide improved programming for special education students. Three examples are presented below.

Prevocational Advisor--One LEA developed the role of the prevocational advisor a number of years ago as part of a strategy to provide a high school special education vocational program flexible enough to meet the needs of various students. A prevocational advisor spends the morning in the high school providing direct services to special education students and the afternoon in the community seeking potential employers, checking students' on-the-job performance, and coordinating with various agencies and with regular education teachers in the high school. With the increased emphasis on mainstreaming and with more vocational education classes and blocks being opened to special education students, the need to coordinate with regular teachers has increased. The role of the prevocational advisor allows some time for this coordination, but it is still on an informal basis.

Work Experience Coordinator--The work experience coordinator in one small district coordinates special education students' instructional programs with their work experience. This is accomplished by mainstreaming students with teachers who are able to deal with their special needs, by following up on student progress, and sometimes by providing individual tutoring. The rest of the coordinator's time is spent locating jobs for students in the community.

Vocational Placement Specialist--The vocational placement specialist in another large district coordinates the various components involved in vocational programming of special education students. The specialists work with:

- Employers to identify jobs and to define the skills needed for the jobs.
- Regular education teachers to help them find ways to incorporate job-related concepts and skills in regular classes.
- Special education students directly to help them qualify for jobs.

## Administrative Level

Although the majority of the roles just described were developed to promote boundary crossing at the school level, this year we discovered the following two new roles designed to cross boundaries at the administrative level:

Assistant Director of Special Education--As part of a plan to increase inservice training and to promote communication between regular and special education teaching and administrative staff, the new position of assistant director of special education was created at one small site with rather traditional practices. In addition to facilitating communication between staff members, the assistant director also coordinates efforts between the schools and parents to increase parent involvement. The assistant director initiated an inservice program this year that will provide for ongoing communication among parents, teachers, and administrators involved in special education.

Inservice Coordinator--This year the administration at one site approved the creation of a new position, inservice coordinator, at the special education adminstrative level. This job involves coordinating all inservice regarding special education among a wide variety of people (e.g., principals, regular and special education teachers, parents, and school bus drivers). Before this position was created, little interaction occurred between special and regular education personnel at the program specialist level (curriculum coordinators). This situation was an obvious hindrance to cooperative planning at the administrative level, which also influenced cooperation at the school level. To help overcome this problem, the inservice coordinator is planning inservice sessions in cooperation with the elementary principals and elementary curriculum coordinators.

### Summary

Overall, during the 1979-80 school year, we detected an increase in boundary crossers--those people who are responsible for bridging the gap between regular and special education. We not only found a formal boundary crossing role in more than half of the sites but also saw evidence of similar roles in some of the other sites. Some personnel--such as principals, program specialists, special education teachers--informally acted as boundary crossers, particularly in small sites. In some of the smaller and rural sites, the director of special education, or occasionally the psychologist, personally coordinated services for children, hence bridging the gap. However, as more children are identified as being in need of special education in these sites, it is becoming more difficult for one person to maintain this role.

### Other New Roles

In addition to boundary crossing roles, two other new roles became evident during the 1979-80 school year. These less traditional roles are described below.

Vocational Assessment Personnel--As part of its new work evaluation program for handicapped students, a large rural district has hired a person to provide vocational evaluation services for special education students. The job entails administration of aptitude and achievement tests and interest inventories, as well as exposing students to a variety of work tasks and work experiences. The results of the work evaluation assists each student who may have been exposed to minimal work experiences in the past to select vocational goals that he or she will find rewarding. Another site also instituted a similar position in its special education department this year.

Vocational Aides--One site hired vocational aides this year as part of a vocational education-initiated grant. The aides work with special education students (primarily high-functioning EMR and SLD students) in the vocational classes to assist them in acquiring the skills necessary for various types of jobs. The aides provide the additional assistance required (e.g., the added safety factor, one-on-one training) for special education students to develop a wider variety of skills. This is the first attempt that the vocational education department has taken to facilitate the integration of handicapped students into its programs.

### Inservice Training

In the school year 1978-79, we found that all except one of the study sites had some inservice training regarding PL 94-142 implementation. This training was offered primarily to special education administrative and teaching staff; however, regular school administrators and regular classroom teachers received little orientation or training. Much of the training offered was strictly an orientation to the law and generally was procedural; it was not perceived as being directly relevant or applicable to staff problems. All groups expressed the need for more preparation to meet the expectations of their roles under the new law. Two factors appeared to be universally influential for this state of affairs:

- Inservice was a low priority while LEAs were implementing new services and programs, creating new roles, changing procedures, and performing other activities.
- Training for the staff had to be initially oriented toward the new procedures and requirements in order for them to be implemented.

### Changes in Training

Given these reasons, we anticipated that we would find increases in inservice training and changes in emphasis as staffs became more familiar with the procedural requirements. We did not find considerable changes in the amount of inservice training or in the priority attached to it, although training did increase in six districts. We did find some changes in the type of training, however. In the majority of the study sites, the indication was that training was better coordinated and addressed more substantive issues than during last year. Topics addressed by inservice training reflected a variety of substantive needs, and mainstreaming topics ranked high on priority lists. For example, in one suburban site that significantly increased the scope of its inservice program this year, the following topics were addressed:

- Mainstreaming severely OH students and visually impaired students.
- Sensitivity sessions on handicapping conditions (e.g., films and tapes explaining various handicaps, examining special equipment), sponsored by the parent advisory council for regular education students and their teachers who have special education students mainstreamed into their classes.
- Integrating handicapped students into the vocational education programs, organized by the vocational education department for vocational education teachers, advisors, and teacher assistants.
- A public relations type of session aimed at music and PE staffs who have special education students mainstreamed into their classes for the first time.
- Health and safety for high-risk students and emergency care practices for teacher assistants.

Training in other sites covered such topics as due process hearings, writing IEPs, precision teaching, neurological screening, communication skills and self-concept, classroom management, training for child count, language arts, and mathematics. A number of factors appear to have facilitated the move toward more relevant inservice sessions, some of which are discussed below.

Sites with a school-level person (particularly a boundary crosser*) who can offer inservice training specifically geared to school personnel tend to provide more relevant training. Several districts have increased the number of on-site trainers. With the significant increase in the number of resource specialists under California's Master Plan, for example, regular teachers have been given the opportunity for training oriented more to on-site problems. In addition, in a district in another state, this is the first year that the school-based teams, which provide on-site inservice training (described earlier in the discussion of boundary crossers), are in all elementary and junior high schools.*

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*Many of the boundary crosser roles include formal inservice training of on-site personnel as part of the job description.

Administrators at two sites believed that their inservice efforts are much more focused and better coordinated since the creation or expansion of an inservice coordinator role. The responsibility of that person is to develop a coordinated inservice program that addresses the needs of district staff and other personnel. In one of these sites, the expansion of the inservice coordinator's role was a logical use of their PL 94-142 inservice funds. This year, an assistant inservice coordinator assisted in planning and carrying out inservice activities. Since the passage of PL 94-142, this LEA, like the others in the state, has been required to use 10% of its PL 94-142 grant for inservice/staff development (this requirement is the SEA's approach to the establishment of a comprehensive system of personnel development within the state).

Several LEAs have targeted their inservice efforts (also called public relations campaigns by some) on principals. Principals are a target because they can be very autonomous and either can pose the greatest administrative barrier to special education implementation or can facilitate it, particularly in districts with school-based management systems. In one LEA with such a system, the special education director also must deal with the restrictions imposed through union negotiations on establishing a comprehensive program of staff development. That is, teachers at each school select the inservice topics they want covered at their school. The result is a good match between expressed needs and inservice topics, but it allows some topics such as those associated with special education to be a low priority. One educator commented: "Teachers know what they want. They don't know what they need."

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*Next year, however, because of fiscal problems, the resources for follow-up and individual applications of inservice training will be cut. The result will be a weakened inservice program for the district's teachers.

A number of LEAs have been able to turn their attention to more substantive training because procedural matters had been fairly well covered in the past, although refinements of procedures and the addition of new staff members has required some procedurally oriented training. Other factors that influenced the type of inservice conducted in sites included:

- Receipt of additional money targeted for staff development--The special education department in one district wrote proposals to the SEA and was awarded a number of grants to provide inservice training. In addition, the vocational education department received a federal grant to train its vocational education teachers.
- Incentive plans for staff--At one site, the district holds 5 inservice days for special education staff at the beginning of the year, but it requires that teachers earn an additional 50 points per year on their own time if they want a salary increase (e.g., take courses at one of the local universities). Through this strategy, the LEA loses control over what teachers learn through their inservice, but the district gains lighter administrative responsibility for planning inservices.
- A means of reducing inappropriate referrals--One of the study sites had made some efforts to provide regular education teachers with more substantive inservice this year, largely because of an increasing number of inappropriate referrals.

### Informal Training

Informal training increased during the year, and many sites provided one-to-one training or consultation, particularly for regular teachers. This type of informal training seems to be associated with roles that incorporate consultation with other staff members as part of the job. For example, many of the boundary crossers provide one-to-one training informally through their interaction with school staff. (In at least one site, such personnel noted that informal training had replaced formal inservice sessions because they did not have sufficient time to perform the latter, even though it is a job requirement.)

Some regular teachers believe that formal inservice training may not be as important as support by special education personnel--boundary crossers, individual special education teachers, and aides. We found several examples of regular teachers reacting very favorably to this kind of help. For example, the system-wide itinerant resource teachers, as well as the school-based teams trained by them, offer both general and one-to-one training. They have made regular teachers see that special education is a team effort rather than exclusively the job of special educators. Regular teachers consequently are now more willing to perform the observations necessary for referral, and they even offer to help the special education teachers. In another site, special education aides in one district within an intermediate education agency typically go into the regular classroom to work with mainstreamed students. However, they also work with regular students who need help. This is viewed as a favorable tradeoff by the regular teachers; they are more willing to take mainstreamed students when their other students also receive additional help.

### Unmet Needs

Despite the improvements in the nature of inservice training provided this year, respondents noted a number of unmet needs. These needs can be summarized as follows:

- Increased substantive training for both regular and special education personnel regarding working with handicapped students (e.g., instructional strategies, classroom management, child identification).
- How to work with students who do not qualify for special education services (i.e., the "slow learner").
- Comprehensive orientation or procedural requirements such as referrals, due process, and IEPs for those groups that have not received any training regarding special education to date (primarily regular education teachers and administrators).

### State Involvement in Inservice Training

This year, for the first time, we inquired about the role of the state in providing and fostering inservice training at the local level. We were interested in learning the local perceptions of the state's comprehensive system of personnel development and whether the LEAs had taken advantage of it.

We found that seven of the nine states in the study have established state-wide inservice resources that LEAs can draw on to meet their training needs under PL 94-142. These vary greatly by state and may include regional resource centers, workshops conducted by specialists covering a variety of topics, and state grants to develop local inservice programs. The other two states have required that their LEAs spend 5 to 10% of their PL 94-142 flow through funds for inservice training, which suffices as the state's system of staff development.*

In general, rural or small sites tended to take advantage of SEA inservice resources more than the large urban and suburban sites. Respondents provided a number of reasons as to why their district did not "buy into" their state's system, and they can be summarized as follows:

- A feeling that their LEA programs are better than those of the SEAs (e.g., theirs are more sophisticated because the state must meet the needs of both progressive and less progressive districts).
- A dislike of the SEA's selection of inservice topics (e.g., a poorly oriented needs assessment, too procedurally oriented).
- Too much trouble to coordinate efforts (e.g., in one site, staff did not take advantage of inservice resources provided by the SEA because they were too far away from the training site).

Except for one state, which last year provided orientation courses in every district throughout the state university system, the services offered by states seem to be of limited utility to most LEAs.

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*PL 94-142 regulations require that states initiate:

> Inservice personnel development programs based on the assessed needs of state-wide significance related to the implementation of the Act....The state education agency may enter into contracts with institutions of higher education, local educational agencies or other agencies, institutions, or organizations (which may include parent, handicapped, or other advocacy organizations), to carry out: (1) experimental or innovative personnel development programs; (2) development or modification of instructional materials; and (3) dissemination of significant information derived from educational research and demonstration projects.

## Summary

To summarize, the findings from the 1979-80 examination of personnel changes, new roles, and inservice training were the following:

- In districts where large program expansion occurred, there were large numbers of education personnel hired to staff the new programs and to provide related services.
- The number and types of boundary crosser roles increased in several sites. Boundary crossers are most abundant at the elementary level, although a few also exist at the secondary and administrative levels.
- In some of the smaller and rural sites, such people as psychologists, acted as informal boundary crossers, but in view of the increasing size of the handicapped population these individuals are having difficulty in maintaining this role.
- The amount of inservice training has not increased significantly in the study sites, but the training provided in the 1979-80 school year was generally better coordinated and addressed more substantive issues. According to respondents, the most relevant training was provided by school-level personnel, particularly boundary crossers. Boundary crossers provided not only formal on-site training, but also considerable informal training.
- Continued improvements in inservice training are required to implement the law's requirements. Specific improvements include: increased substantive training for regular and special education personnel, instruction on strategies for dealing with the slow learner, and comprehensive orientation for regular education and administrative personnel on special education procedural requirements.
- SEA training is generally of limited utility according to respondents in most study sites because of its general nature; topics were not relevant to the specific needs of individual LEAs and coordinating with the SEA system is difficult.

## LEA Borders of Responsibility and Due Process

During the 1978-79 school year, LEAs were primarily occupied with establishing new procedures to meet the mandates of PL 94-142. They had not yet addressed the issue of defining the limits on their legal and fiscal responsibilities in the face of the seemingly open-ended mandate to meet all the educational and related needs of all handicapped children.

This year, the dimensions of this issue were becoming clearer, and LEAs were most concerned with the extent of the responsibility they have regarding--

- Medical services
- Parochial school and private school placements
- Institutionalized children
- Vocational rehabilitation services
- Extended school year.

In every LEA, problems arose in one or more of these areas because the LEAs were being pressured to provide more services than they could afford and because limits of responsibilities in each of the areas had not been clearly defined. Borders of responsibility began to be defined by the court in some cases and by state policy and local tradition in others. As of the 1979-80 year, however, most of the issues of responsibility remained unresolved as administrators struggled primarily to fill gaps in the service delivery system until the larger political, policy, and fiscal issues could be tackled.

Following is a description of the dimensions of these problems in the areas listed. Next are described the activities that occurred under the due process provisions, which constitute one of the greatest sources of pressure for resolving the limits of responsibility.

### Medical Services

All LEAs are faced with the problem of defining the border between educational services and medical services. Most frequently, this concerns the responsibility for provision of and payment for mental health services (psychological or psychiatric counseling) and occupational and physical therapy (OT and PT).

#### Mental Health Services

Section 121a.13 of the final regulations defines counseling services as "services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel." Currently, the policy issue whether or not schools should provide special education students with necessary mental health services, such as psychotherapy and psychiatric counseling, is still unresolved at the federal level. The majority of sites in this study regard psychiatric services as medical, not educational, services. For example, one LEA special education director stated:

> The district doesn't provide psychological or psychiatric counseling...if it's a medical problem, it's not education's role...though for diagnosis, it's okay to do a medical exam or a psychiatric one.

LEAs in two of the nine states have had no problem in determining where to draw the line between psychiatric counseling as an educational or medical service because the SEAs in these states have stated that LEAs are not required to provide psychiatric services beyond diagnosis. A large district in one of these states operates under a state law that prohibits LEAs from providing direct psychiatric services. If an SED student requires psychiatric services, the state department of mental health provides the services at no cost to the parents through the children's services agency. In the other state, we found a rare example this year of an LEA due process hearing having a systematic influence. The result of the hearing helped to clarify the SEA's policy regarding the provision of psychiatric counseling. The case concerned a child who was attending a special education program housed in a mental health facility. The LEA assumed responsibility for the academic component of the program and the mental health agency provided psychiatric counseling services. However, the mental health agency did require that the parents make partial payment for the counseling services. The parents, therefore, filed for a due process hearing stating that PL 94-142 requires the LEA to pay. The LEA appealed the case to the SEA to force the SEA to take a stand on this issue of responsibility. The state appeals officer decided that psychiatric counseling is a medical service and not the responsibility of the LEA.

Two LEAs in one state are constrained by the conflict between the state's education and mental health codes. Under the education code, LEAs can provide counseling services such as those given by school counselors or school psychologists. Counseling as such can be written into a special education student's IEP. However, direct psychiatric services other than diagnostic evaluations are considered "medical treatment" and LEAs cannot expend education funds for medical treatment services under the education code. Direct psychiatric services must be provided by regional service units operated under the department of mental health and mental retardation. Because the regional service units operate under the medical model, they require a fee, typically a sliding scale based on family income, so their services are not free to parents of children who qualify for these services. Thus, LEAs are constrained in working out any cooperative agreement (at no cost to parents) with the regional service units for SED students who require their services. An additional complication is that these service units are mandated to provide "...only those services for which sufficient funds are available." Currently, mental health funds are diminishing, and when the funds run out the units are not responsible for providing services at all. Therefore, the LEAs cannot depend on the units for needed services even if parents can partially pay for the services or use third-party payments (e.g., SSI, medical insurance) to cover the cost.

Districts in other states interpret the education/medical services issue in varying ways. Typically, the LEA has some kind of counseling services provided by a school social worker, guidance counselor, or school psychologist. However, given the requirements of PL 94-142 implementation, these specialists often cannot meet the demand for such services. If a child might benefit from additional psychological or psychiatric counseling, the LEA informally "suggests"* that the parents seek counseling at the local mental health clinic. In most cases, the local clinic charges parents on a sliding-fee scale.

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*The suggestion does not appear as a service recommended on the child's IEP.

In a few sites, LEA administrators have sought to work out solutions with local mental health agencies. In one site, the LEA's agreement with the county mental health agency includes the provision of two group counseling sessions for SED students on a regular basis that the LEA pays for on a sliding-scale basis. This counseling is considered to be "education in human relations" rather than therapeutic in nature. A rural site has a fixed-fee contract with the county guidance center to provide counseling and psychological therapy for the small number of students in need of these services.

In one state, the two study sites are in different stages of cooperation with their local mental health agencies. One LEA has had a history of cooperation with its local agency that seems to be continuing. This year, the new director of special education is making the agreement a bit clearer. In his view, "there has to be consistency on who will pay and why." The other LEA has not had an arrangement with the relatively new mental health agency. The LEA's position is that family counseling services are not educational services and should be provided by the mental health agency. The special education director's view is that the mental health agency "...thinks the law makes them absolved of responsibility."* According to the mental health agency informant, the agency cannot serve all the referrals from LEAs because of limited resources. Children's services are not a high priority in the agency, but it will contract with some LEAs in the area to provide as much service as possible. However, the agency representative had scheduled a meeting with the special education director to see if they could work out an agreement similar to the one in the other study site.

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*In two other sites this year, the mental health agency, citing PL 94-142 provisions, tried to shift to the LEAs financial responsibility for students placed by the agency in private, out-of-state schools or institutions. The agencies were unsuccessful in their attempts because both special education directors responded that an LEA is not responsible for payment of tuition for students who have not undergone the LEA's evaluation or placement process.

Only one suburban site regularly provides psychiatric therapy as part of its related services options. Psychiatric social workers (hired in 1978-79 with PL 94-142 funds) directly serve SED students. A district agreement with a local mental health clinic provides these social workers with psychiatric consultation. This year, the district has retained two psychiatric consultants to diagnose and screen cases. Each case is then presented to a newly formed "therapy diagnostic committee" to determine which cases qualify for therapy as a necessary IEP-related service.

## Occupational Therapy and Physical Therapy

The borders of responsibility are less problematic in the areas of OT and PT than mental health in the study sites because most of the LEAs provide these services through their own personnel or through existing agreements with local agencies or hospitals. In one urban LEA, PT services are now being recommended on IEPs and being provided without cost to parents under a new contract with a local hospital. The LEA had not provided PT services and was forced to fill this gap in service delivery as a result of a due process hearing. Another LEA has an exemplary OT/PT program that has been in existence for several years. The district offers OT/PT (including hydrotherapy) at a special center within the LEA. The program is sufficiently flexible that most students can remain in their home schools yet still receive services.

This year, however, the California LEAs have been in a conflict regarding responsibility for OT/PT services that stems from confusion between LEAs and the Crippled Children's Services (CCS) about payment for OT/PT and the ways of diagnosing the need for OT/PT. As a result of OSE's refusal to approve California's 1980 state application until payment provisions for OT/PT services were clarified, the SEA negotiated a new agreement with CCS. If a child meets CCS criteria, CCS provides and pays for OT/PT services; if a child does not meet CCS criteria but still needs OT/PT services, the LEA is responsible for payment and either CCS or the LEA can provide the services. In one large district, CCS is now providing services according to the new agreement in the following manner:

- For recommendation of OT services, a medical screening is required.
- The LEA will provide motor exploration training, whereas CCS will provide sensory motor training.

### Other Medical/Educational Border Issues

Although mental health and OT/PT services are the areas about which border questions most often arise, a few others do confront some LEAs. For example, an urban LEA had a long-standing arrangement whereby the department of public health provided certain supplementary aids on a sliding scale; however, that agency is pulling back. The LEA consequently has had to assume responsibility for the purchase and provision of Opticons and hearing aids. The LEA policy thus far has been to provide such aids for the instructional day (8 hours) only, not for home use. In Spring 1980, a governor's committee was attempting to sort out the interagency agreements at the state level. However, the SEA's position is that if the LEAs cannot secure services or aids from state agencies, the LEA "will be ultimately responsible."

The provision of vision therapy has been of concern in a least two districts this year. The special education department in one LEA is organizing a medical advisory group comprising doctors from various fields to advise the multidisciplinary team on services that border between medical and educational services. This group will decide all questions on vision therapy. The other LEA contracted with an optometrist to perform evaluations for children referred for vision therapy.

### Parochial and Private Schools

Under Section 121a.452 of PL 94-142's final regulations, each LEA "...shall provide special education and related services designed to meet the needs of private school handicapped children residing in the jurisdiction of the agency." This year, we examined more closely the relationship between LEAs and parochial and other private schools within their jurisdictions.

The service delivery to children in nonpublic schools is at various levels among the LEAs in this study. Given the limited resources and the already great demands of the public school population, not surprisingly, most LEAs are not providing direct services to the private sector. However, more than half of the districts do provide evaluations if they receive referrals from private schools or from parents of children enrolled in nonpublic schools. In at least three states, LEAs have traditionally provided diagnostic testing services for the private schools within their jurisdictions. In a fourth state, some question had arisen about whether LEAs are responsible for evaluating children in private schools. After OSE monitoring this year, this SEA stipulated that LEAs must assume this responsibility. An LEA special education director in this state indicated that the district would now conduct evaluations on students attending private schools, but the staff of the private schools must interpret the results and write the IEPs.

At least two LEAs in other states expanded their diagnostic efforts this year to the private sector. A rural LEA allocated additional staff time for its psychologists to perform the necessary special education testing in the parochial and other private schools. A suburban LEA designated an LEA social worker as the "liaison consultant" to the nonpublic schools in the area. As part of this role, the social worker helps an educational diagnostician in prereferral screening in the private schools and coordinates all referrals from the private schools.

Overall, not much has occurred in provision of services to the private sector, although LEAs are doing more if the private sector requests it. While it is true that LEAs are not typically reaching out, about half of the study sites provide direct services to nonpublic school children with special needs. Typically, speech therapy and SLD services are the most commonly provided. In some states, the issue of where nonpublic school children should be served has arisen. In one state, the SEA instituted dual enrollment procedures because they did not want LEAs to serve students on the private school grounds. Another state issued a policy statement this year to the effect that LEAs should serve nonpublic school children in the "...setting most conducive to education" so that LEAs can determine what is appropriate.

In general, LEAs in this study tend to serve nonpublic school children within the public schools. For example, an urban district runs a "shared-time" program with the parochial schools. Although the students continue to be enrolled in the parochial school, special education services are delivered at the public school. As a special education supervisor in another large district indicated, "...if they need a program, these kids must be bused to public schools."

The issue of fiscal liability for the full costs of educating handicapped children placed in private schools became a major concern this year in Illinois and Pennsylvania. In December 1979, the Children's Mental Health Coalition (a group of parents of SED children) filed a class action suit in the U.S. District Court for the Northern District of Illinois. The plaintiffs in Gary B. v. Cronin contended that Illinois' Governor's Purchased Care Review Board (GPCRB) regulations are in violation of PL 94-142 and Section 504. Under these regulations, GPCRB rates will not pay for children to receive psychotherapy as a related service in private residential placements; parents must pay for this related service. In February 1980, the Office of Civil Rights (OCR) sent a letter of findings to the Illinois State Board of Education and the GPCRB citing violations of Section 504. According to an OCR investigation, Illinois parents frequently must pay the difference between GPCRB-approved rates and the actual costs of serving handicapped children in private facilities. By refusing to pay for the full costs of such placements, the GPCRB is failing to provide FAPE for many handicapped children.

The problems in Pennsylvania were similar. In March 1980, the Education Law Center (ELC) filed a class action suit, Gittelman v. Scanlon, against the state department of education and an LEA for refusing to pay the full costs of educating handicapped students that the state has placed in private schools. Parents are charged the difference between the cost of special education in the private school and what the state pays toward tuition and related services. The lawsuit was brought on behalf of a child whose parents had to pay the difference between the state's maximum of $9,500 and the actual charges for residential treatment of more than $20,000 a year at a private school. The allegations are similar to those in a complaint ELC filed in Fall 1979 with OCR. OCR's report on the complaint against the SEA was in final review in Spring 1980, and a written letter of findings was anticipated at the time of our spring data collection.

In another state, an urban LEA requests that parents use SSI to cover counseling/therapy services for students placed in private residential settings. Thus far, no one has objected to this practice. For the most part, most of the LEAs in our study do not have very many children in private residential settings. In most instances when they do place children in such settings, the LEA and other human services agencies (e.g., department of mental health) cover the full costs of the placements.

Even when LEAs do assume fiscal liability, however, the strain on their budgets is of concern. For example, a Fall 1979 due process hearing in one LEA over a private placement left the special education director wondering how far the limits of LEA responsibility can be pushed. After appeal to the SEA, the LEA lost the hearing and placed the student in a private residential school in another state. The LEA will be liable for $2,000 per month tuition, plus the child's transportation to and from the school and the mother's transportation cost to visit her child. Moreover, the special education director indicated he would not be surprised if the mother demands, or the private school recommends, that the child needs year-round services, also at LEA expense.

### Institutionalized Children

Determining their fiscal and legal responsibility to institutionalized children remains a problem for LEAs. Last year, one rural intermediate education agency served 25 school-aged children who were residents of a local state mental facility in the LEA's TMR facility. Although the LEA had assumed legal responsibility for providing these children with the educational component and will continue this service to more children next year, reimbursement to the LEA is still problematic. Interagency coordination was heretofore unnecessary, but the lack of it now and the unclear directives from the SEA are posing problems for the LEA director of special education.

For the most part, LEAs continued to cope with deinstitutionalized children this year as they had last year. In one state this year, the department of mental health began to deinstitutionalize adolescent juvenile delinquents to group homes within the jurisdiction of an urban district. Under state law, if these adolescents are legal residents of the district, the LEA must pay for any special education for them until they reach age 21. In many cases, these adolescents are from all over the state, but the group homes have been located in the district's metropolitan area. Because the LEA does not have a strong secondary SED program and is already "taxed to the limit" in serving adolescents within its own community, LEA administrators are reluctant to pay for students moving out of institutions and into the group homes in the city. To force the payment issue, the group home staff members are having these adolescents register to vote so that they are legal residents of the city, thus making the LEA responsible for educating them.

Another state is expanding the borders of LEA legal and fiscal responsibility this year through a state-wide movement toward deinstitutionalization. Unlike other states where such a move has been mandated by the courts, the state legislative and executive branches are undertaking this action in an orderly step-by-step manner. In fact, the documentation of their efforts may be used as a technical assistance outline for other states considering deinstitutionalization. During the 1978-79 school year, the state department of education began shifting the responsibility for the education of these students from the human services department to the LEAs. One of the study sites, like other LEAs in this state, was aware of the shift. Accordingly, the district is phasing in the SEA policy to expand services (e.g., preschool programs and services for the 18 to 21 population). In addition to the proposed benefit to students, the deinstitutionalization move was also facilitated by the fact that both parties had something to gain:

- The state department of education now has regulatory authority over children for whom they are ultimately responsible.

- The human services department wished to abandon its role in education because it never had the funds to provide an appropriate educational program for these institutionalized children.

At the state level, the education and human services departments formed a joint task force to solve the numerous problems involved in the transition. To ensure that the mechanics of the changeover will work at the LEA level, some task force members are working with LEA and local human services administrators to facilitate the LEA agreements that must be negotiated with local human services administrators by the 1980-81 school year. This year, however, the study site negotiated a general agreement with the local human services administrators to initiate the transition. Details will be worked out through a committee of LEA and human service supervisors; even after the final agreement has been signed, the committee will continue to meet weekly to solve problems. The LEA administration is in favor of the deinstitutionalization because, as one administrator put it: "It's the only way to go. There's too much duplication otherwise."

### Vocational Rehabilitation

For the most part, LEAs in our study have few problems in vocational rehabilitation, partly because they traditionally have had cooperative agreements with departments of vocational rehabilitation (DVR). Nonetheless, LEAs are now experiencing some problems in coordinating services with DVRs.

Two sites had problems with DRVs curtailing services. In one site that had received considerable support from the DVR in secondary special education programming, the DVR reevaluated its role in the cooperative agreement it had entered with the LEA since PL 94-142 and cut back its services this year, so that it now--

- Serves only twelfth graders where it had served tenth through twelfth graders in the past.
- Participates in fewer staffings.
- Provides fewer social workers, counseling services, and other related service support.

The DVR's position is that "duplication of services" has occurred. It is no longer supplying certain services because it believes that PL 94-142 clearly makes such services the responsibility of the LEA.

The other LEA, which is in a different state, had problems with a DVR that ceased providing medical evaluation services. Eligibility for DVR services was an additional problem area. Special education students with the most obvious disabilities--the visually impaired (VI), PH, and TMR--usually do not have a problem in qualifying for DVR services, but students with milder handicaps, such as SLD and EMR, have more difficulty meeting the eligibility criteria. Certain special education students consequently might not qualify for DVR services.

Eligibility criteria were a problem in at least three other states. Under DVR criteria in one state, a handicapped person must be demonstrably able to benefit from services because the DVR counselors are under pressure to obtain employment for a certain number of clients. Thus, they are selective with clientele and expect the LEA to "habilitate" students so they can ready them for actual work. DVR eligibility criteria in another state specify that a client must be "employable." An urban LEA in this state has found coordination with DVR difficult because the district personnel are confused about what specific type of prevocational training is required to enable students to be "employable." The third state was embroiled this year in a battle over the appropriate administration of the state's vocational rehabilitation program, which has left the future of continued services in question. Consequently, DVR personnel have not actively maintained their services, particularly for students over 18. The DVR told the director of special education in a large LEA in that state that it would now serve only higher functioning students in its work-study programs.

On the positive side, two states reported increased progress toward cooperation with the DVR. In one state, the DVR is taking the initiative in trying to improve vocational programming for handicapped students by linking improved training to work opportunities. The DVR administration is making efforts to gain the cooperation of CETA, the department of vocational education, and the state board of education to address this issue. The DVR is willing to work cooperatively with the other agencies, but it expects them to expend equal efforts--an expectation not yet fulfilled. In another state, SEA personnel characterized their agreement with DVR as "the best we have and it works." The DVR provides numerous services to special education students when the LEAs are not able to provide them, such as medical examinations, aptitude assessments, work opportunities. In addition, it provides counseling services for students and coordinates their work-study programs.

### Extended School Year

Concern for the provision of an extended school year arises primarily because of the *Armstrong* v. *Kline* decision in Pennsylvania. On June 21, 1979, the U.S. District Court for the Eastern District of Pennsylvania ruled that the state's blanket refusal to provide 12-month education services violated PL 94-142. That is, the Armstrong Court held that, under federal law, each handicapped child in the Commonwealth is entitled to receive a "free appropriate public education" and recognized that, to have meaningful access to public education, handicapped students may require a continuous program of special education and related services in excess of the normal 180-day school year.

According to Remedial Order No. 2 (the court-approved SEA guidelines to implement class relief), a special education student is entitled to an education program in excess of 180 days per year--

> ...if regression* caused by an interruption in educational programming, together with the student's limited *recoupment* capacity,** renders it impossible or unlikely that the student will attain the level of self-sufficiency and independence from caretakers that the student would otherwise be expected to reach in view of his/her handicapping condition. (*Education for the Handicapped Law Report*, 1980)

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*Regression is defined as "a reversion to a lower level of functioning as evidenced by a decrease in the level of adaptive behaviors attained or learned skills, which occurs as a result of a break or interruption in educational programming."

**Recoupment capacity is defined as "the ability to regain and/or recover the level of adaptive behavior skills learned prior to the interruption of programming."

The SEA guidelines provide for written notification by district administrators to parents of potentially eligible students, establish deadlines for IEP team review of the students' programs, and stipulate the standard to be applied in determining a student's eligibility for programming in excess of 180 days.

Although the Pennsylvania Department of Education has appealed the decision, a ruling was still pending in the case as of Spring 1980. Accordingly, the LEAs in that state have moved ahead and have informed parents of Armstrong v. Kline. In addition, the districts have developed eligibility criteria to determine which children qualify for summer school programming. Both Pennsylvania LEAs in this study will provide summer school programs for eligible students. This year, the SEA is providing the districts with unexpended Education for All Handicapped Children Act (EHA) Title B funds to finance this additional delivery of services. However, yet to be determined is how extended-year programs will be financed in the future.

As of May 1980, the ELC reported that at least eight states have initiated some action regarding 12-month education. The ELC counsel for plaintiffs termed Armstrong v. Kline a "burgeoning business." Of the other eight states in our study, only Mississippi has recently filed a suit similar to the Pennsylvania case.* Illinois' state superintendent of education essentially has adopted the Armstrong decision as a guideline for Illinois. State legislation passed this year provides for summer school reimbursement for severely or profoundly handicapped children. In February 1980, the state superintendent sent a memorandum to all LEAS advising them that,

> Although special education summer school is not mandated for all handicapped students, the district must determine each individual handicapped student's eligibility and provide summer school to those students with a demonstrated need.

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*Insight, May 23, 1980.

One of the LEAs in this state is already providing summer school for most of its TMR population. In terms of other children being eligible for summer school, the special education director indicated that "We've told our people to use common sense in recommending it." The other LEA that is being studied in this state has been providing extended-year programs for its more severely handicapped students for some time. The district has also been operating a joint summer school program with the local recreation association for several years. The latter program had been open to all special education students. The district paid for the educational component and parents paid a recreation fee as part of the cost. This year, the special education director planned to limit the Summer 1980 program to the more severely handicapped children. In an effort to control costs and parent expectations, itinerant SLD children would not be offered this option.

Districts in other states in our study seemed less concerned about the 12-month program issue, and no trend was apparent toward an extended school year. In a few LEAs that were already providing summer school programs, this was not an issue. LEA administrators in two sites in one state indicated that the state law already allows 230 days per year of service for severely handicapped students, so that thus far they had encountered no challenges to provide more than that amount of time. Typically, financial constraints are cited as the reason that summer school is not provided in some LEAs. In one urban LEA, for example, the school board policy this year explicitly excludes the provision of services beyond the normal school year.

Finally, the summer school issue was the basis for a due process hearing last year in one LEA. Both the hearing officer and appeals board determined that the parents were making "unrealistic" and "unreasonable" demands in that particular case. The issue has not arisen again this year.

## Due Process Procedures/Hearings

### LEA Posture Toward Parent Demands

Last year, we reported that due process mechanisms from notification and consent through complaint and fair hearings procedures were in place across our sites. We observed that in most issues resolved through hearings rather than through other dispute resolution procedures, the LEA believed it should not or could not pay for the services that parents considered were appropriate (e.g., private school placement, certain related services). We also noted that resolution of complaints without a due process hearing depended on a variety of local factors, such as the presence of parent advocates and availability of mediation as a prior alternative. Two factors appeared to be universally influential:

- Past history and general tone of parent-school relationships in the district.
- The desire and capacity of the particular individuals involved to use informal dispute resolution procedures.

This year, we examined in more depth some of the techniques various LEAs are using to resolve disputes that arise when parents demand more than the LEA is willing or able to provide. In approximately half of the 17 sites, parents' demands typically do not exceed LEA resources. When a parent does ask for more services, the LEA special education administrators are usually skillful at working out a solution. If an administrator considers the requests are reasonable, parents' demands are met. In one LEA, for example, the parent of a child with cerebral palsy believed that her child could benefit from additional OT and made such a request to the director of special education. Accordingly, the director agreed to provide extra service almost immediately. In another district, the LEA psychologist meets with parents to discuss their request and to point out what the district can offer, thus attempting to ensure a "reasonable" request. This district, which lies within the third poorest county in the state, has limited available resources. As a local social service agency person commented: "The schools are trying to do the best they can. Parents respect that. Parents understand that the dollars are few and the schools are really trying."

## Other Informal Dispute-Resolution Strategies

Last year, one district created the role of "child advocate" within the LEA's special education office. The advocate continues to handle all parent complaints that cannot be resolved at the school level. She usually either succeeds in convincing the parents that the child is being appropriately served or arranges for another placement that better meets the child's needs from the parents' perspective. Another district tends to rely routinely on its program coordinators to meet with dissatisfied parents frequently, to talk openly, and to try to meet their demands with available resources. The role that these individuals play accounts in part for the absence of an adversarial atmosphere between parents and the LEA.

In one state, "prehearing conferences" are integral to the state's due process procedures. Although due process activity in the two sites we study in this state is still substantial, disputes frequently are resolved informally in these prehearing conferences. In a large urban district in the state, school/LEA personnel and parent advocates both expressed the desire to solve special education placement and program problems in these prehearing conferences. As an advocate indicated:

> The prehearing conferences are most effective. We don't recommend a due process hearing very often...it's a sham... the hearing officers are school people from neighboring communities.

It should be noted that this city has a strong advocacy network that can provide the necessary support to parents willing to negotiate placement and services with the LEA in a prehearing conference.

An urban district in another state uses negotiation to try to resolve parent demands for appropriate placement or services. This LEA starts negotiating after parents have already filed for a due process hearing. This year, more due process hearings were filed, but 12 of the 17 filed have been withdrawn because the LEA has taken some action to negotiate with parents and to satisfy their demands without going through with a hearing. The hearings filed actually increase the special education department's influence with the school board;

the board can be pushed to provide more services, given serious parent demands. Unfortunately, because of limited resources, the LEA could only agree this year to place the children concerned in these cases in an overcrowded class or to put their names on a waiting list and guarantee the desired placement next year.

For several years, another district has been using a three-step mediation process that has helped to resolve issues that might have gone to a due process hearing. If a problem cannot be resolved at the school level, a district-level team attempts to settle it. If it is unsuccessful, the director of special education calls a "case conference" with the relevant special education personnel to review the case and try to resolve the problem. This year, the SEA in this state was investigating the use of mediation in due process procedures to identify techniques that might prove to be useful to LEAs.

### Due Process Hearings

This year, we observed that in sites that had considerable due process hearing activity last year, the number of hearings was either about the same or actually lower. In three of the sites, due process activity occurred for the first time this year.

In the sites with several due process hearings, the issues generally were still primarily private school placement or related services. In one site where more than 50 hearings were held on the private school placement issue last year, only 3 hearings were held this year. The director of special education indicated that the private school association advocates were taking a less aggressive stance toward the LEA this year. This change occurred because the circumstances under which students can be removed from private placement and placed in newly formed LEA programs has been clarified somewhat by all the due process hearings through the clearer delineation of policy and procedures. No longer is a child unilaterally placed in a private school by parents, who then ask that the district be financially liable for payment. In addition, the LEAs no longer pull back students from private school placements to what they regard as an appropriate placement within the LEAs without proper documentation. Although a few exceptions exist, other LEAs tend to win cases over private school placement.

Other issues that have arisen in hearings this year include denial of placement (child is on a waiting list) or inappropriate services. In one district, where special education placements are usually filled by late autumn, all the hearings filed were over these issues. In another district, a parent contended that her multiply handicapped preschool child was inappropriately served at the district's TMR facility.

In the three sites that experienced their first due process hearing activity this year, the issues varied. In one district, the only due process hearing concerned parents' unilateral placement of a child in a private school without permitting the LEA staff to be involved in determining appropriate placement. In the second district, one hearing related to appropriate placement and the second concerned a parent demanding a computer for her child's individual mathematics program. In the third district, two hearings were filed but one was withdrawn. The actual hearing was initiated by the LEA against Christian Scientist parents who refused consent for a physical or psychological evaluation of their child.

Typically, it is still a small number of dissatisfied parents with above-average educational backgrounds and income levels who go through with due process hearings. Pursuing due process hearings is costly for parents unless a parent advocate group is available to them. In terms of cost to the LEA, hearings can vary from about $1,000 to as much as $10,000 per hearing. In a large urban district, approximately $30,000 of the total special education budget is set aside exclusively for the conduct of hearings. Although this is not a significant percentage of the budget in this city, the LEA also allocates another $50,000 for personnel working on due process matters and legal consultative services.

Last year, we found no evidence that due process hearing decisions per se produce programmatic or systematic changes in LEA policy. That is, such decisions rarely affected more than the individual child involved in the case. We also observed some instances in which a district's experience with due process hearings resulted in a more conservative policy relative to recommending services on a child's IEP (i.e., only recommend what you know can be provided). Although this situation appears to continue to be true for the most part, some districts have given more consideration to the gaps in their service delivery systems. For example, the director of special education in one urban district indicated that "Services only benefit the individual kids, but hearings have stimulated thinking about the types of programs needed." In another LEA, the fear of additional due process hearings has prompted an effort to anticipate parent demands rather than just react to them. The district is planning to add three new classes for emotionally disturbed children to the special education program next year, thus addressing a serious gap in service delivery.

Certainly, disagreements between parents and schools concerning the meaning of "appropriateness" still raise questions about the borders of the schools' legitimate responsibilities.

### Summary

The principal observations on this aspect of the study during the 1979-80 school year were the following:

- All the LEAs we visited continued to have difficulties in determining the extent of their responsibilities in the provision of certain services.
- The majority of LEAs in the study consider mental health services as medical, not educational, services. The provision of OT and PT by LEAs poses fewer problems.
- Whereas more than half of the LEAs we visited provide diagnostic services if they receive referrals from the nonpublic sector, less than half provide direct services for nonpublic school children with special needs.
- The issue of fiscal liability for the full costs of educating handicapped children placed in private schools became a major concern this year in two of the states in which we have study sites: Illinois and Pennsylvania.
- Determining their fiscal and legal responsibility to institutionalized children remains a problem for LEAs. Most LEAs in the study are continuing to cope with deinstitutionalized children in much the same way as last year. However, one state is

implementing a state-wide movement toward deinstitutionalization in a step-by-step manner that may provide useful suggestions as a model for other states.

- Although most LEAs have few problems in coordinating vocational rehabilitation services, a few instances of vocational rehabilitation agencies curtailing services were noted.
- Although Pennsylvania's Armstrong v. Kline decision has caused some concern in other states, no growing trend toward an extended school year was apparent in the sites participating in our study.
- For the most part, LEAs continue to rely on informal dispute resolution strategies to resolve parent demands on their special education service delivery systems.
- In LEAs that had considerable due process hearing activity last year, the level of activity this year was about the same or hearings were actually fewer. Due process hearing activity occurred for the first time in a few LEAs.
- Due process hearings generally still concern private school placement and related services. Denial of placement and inappropriate services arose as issues in hearings this year.
- Whereas due process hearing decisions per se do not generally produce programmatic or systematic changes in LEA policy, hearings have prompted some LEAs to focus more attention to gaps in their service delivery systems.

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**NOTE: For further information, SRI papers entitled "The Crucial Role of Boundary Crossers" and "Education Agency Responsibility for Related Services" are available from the Office of Special Education, Division of Media Services, Washington, D.C.**

# III MEETING INDIVIDUAL NEEDS

The preceding section presented findings on the responses of LEAs--as systems--to the requirement of PL 94-142 to provide a full program of special education and related services for all children in the local jurisdiction. In this section we discuss the responses--at the school level, primarily--to those requirements of the law that directly affect the extent to which the needs of individual students are met. First are presented findings on how special education recipients are selected; changes in identification and referral procedures and the effect of state eligibility requirements are discussed. Next, the procedures from evaluation to placement (including parent involvement and the administrative burden), are examined relative to whether they are becoming more progressive; that is, whether the procedures are being designed to reflect the spirit of the law rather than merely ensure minimal compliance.

## Determining Who Receives Special Education

### Changes in Child Find and Identification

In the 1978-79 school year, we found that most of the public school systems in the sample conduct "child find" projects or participate in those conducted by their state or intermediate education agencies. These projects tended to be media campaigns designed to inform the general public that out-of-school handicapped children have a right to receive services and that they should be brought to the attention of the schools. These efforts were focused primarily on the identification of preschool-age handicapped children.

In the 1979-80 school year, we detected very few changes in the LEAs' child find efforts. One suburban district added a hot line that provides a 24-hour answering service that people can call to make referrals. A few sites were also attempting to screen nonpublic school children who are possibly in need of SEARS. Otherwise, out-of-school screening efforts are much the same and still focus primarily on preschoolers.

### Changes in Prereferral Intervention Strategies

In about half of the LEAs, we found that use of prereferral intervention strategies had increased this year compared with last. These strategies were designed to decrease the number of inappropriate referrals and thereby to reduce the number of referrals generally. The trend toward prereferral screening and intervention strategies, which predated PL 94-142, is fostered by the expressed intent not to misclassify children and to retain children in their regular classrooms with support rather than to remove them.

These strategies are based on providing the regular teachers with the following types of assistance before formal referral:

- Specialists to work with the regular classroom teacher.
- School-based assessment teams available for consultation.
- Use of observations, trial interventions, and parent-teacher conferences.

Last year, changes in California's Master Plan regulations required that alternative strategies be tried before a problem child is referred for formal evaluation. Typically, a school-based resource specialist is available to regular teachers to provide assistance with intervention strategies. For example, when a teacher has a student with a learning problem who may or may not require a special education referral, the resource specialist may observe the child in the classroom several times, perform some diagnostic testing,* and work with the regular teacher to determine what should be done. Regular teachers in one Master Plan site commented that they like the idea of a full-time resource specialist in their school because they can now rapidly obtain feedback on their students' learning problems, as well as obtain immediate help on special materials and teaching techniques.

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*In at least one site, testing is performed in a group setting because, according to the regulations, resource specialists cannot deal with a child on an individual basis before a special education referral has been made.

Although one of the California sites is not yet under the Master Plan and its regulations, that LEA decided to try prereferral intervention this year. Thus, before initiating referral procedures for special education, schools in the district must exhaust other appropriate available options to provide service for students with special needs. School personnel are expected to attempt to resolve problems by modifying the regular classroom program or using alternative instructional methods, such as:

- Specialists (e.g., reading, counseling).
- Support staff.
- Alternative instructional methods or materials (e.g., shorter assignments, easier material, peer cross-age tutoring).
- Adjustment of school day.
- Tutorial programs.
- Title I.
- Bilingual education.
- Available community agencies and services.

In a few sites in other states, an increased emphasis on intervention seemed to be the direct result of systemmatic LEA plans to implement the LRE concept. One progressive LEA considers that the role of the regular teacher is to be actively involved in individualizing instruction for children with learning or behavioral problems within the regular classroom environment. The district expanded its school-based screening of "high risk" children this year. In one school, all regular teachers reviewed their class lists with the school-based assessment team (composed of the principal, SLD teacher and school social worker) to identify children for whom interventions in the regular classroom might be necessary. If intervention appeared to be appropriate, the SLD teacher suggested materials or techniques for the regular teacher to use in working with children with problems.

Also new in this district this year is a pilot project, the Teacher Assistance Team (TAT), which is being tried in two elementary schools. The TAT approach provides a support system to help regular teachers cope with problem children. The team may include regular or special education teachers; it operates as a day-to-day problem-solving unit for teachers, providing direct assistance or helping them obtain follow-up from special education personnel.

In another site, teachers were becoming more familiar with previously instituted intervention strategies. Last year, a new state procedure required regular teachers to document that two observations, some trial interventions, and two parent-teacher conferences had been completed before a special education referral; the procedure is more routine this year. As one psychologist indicated, "It reduces the tendency to put a kid out of the regular classroom summarily."

In yet another site, the motivation for an increased focus on intervention this year was different. It was part of an LEA strategy to prevent the reoccurrence of last year's huge placement backlog. To prevent letting "everyone" into special education, this district will not accept referrals from the schools unless documentation is submitted on prior attempts made to serve problem children in the regular classroom.

In sum, we saw a definite increase in prereferral intervention strategies, all based on the provision of support to regular classroom teachers. Depending on the resources available (and hence the ability of a given system to meet the needs of individuals), the practice can serve primarily to achieve the spirit of the law by limiting inappropriate referrals and by supporting mildly handicapped children in regular classrooms whenever possible, or it can serve merely to keep the flow of children to manageable levels without regard to appropriateness. We met many staff members who were aware that caution must be used in establishing such procedures so as to ensure that children who need SEARS are not excluded from the service delivery system.

## Changes in Appropriateness of Referrals

In those sites where prereferral interventions are being used, LEA and school personnel reported that the appropriateness of referrals has improved since last year. The staffs believe that the children being referred are those who truly need the extra help that special education can provide. This increase in appropriateness seems to result from one or more of the following factors:

- Increased use of and/or familiarity with interventions (and with the need to document them) before referral.
- Regular teachers' accumulation of knowledge about special education and their increasing exposure to handicapped children over time.
- Regular teachers' ability to obtain help through general inservice training and one-to-one training (e.g., help from boundary crossers, special education teachers) regarding what types of children to refer.
- Eligibility criteria being interpreted more explicitly and/or being better understood.

In one site, several people concurred that regular teachers know which children to refer to special education. A special education teacher commented that "Regular teachers are pretty good and aware when it comes to making appropriate referrals." An LEA supervisor in the same district noted that "Referrals are valid and well documented."

Last year, we described a resource-rich site that was attempting to put rational controls on the number of ineligible children being referred for SLD services. This year, the educational diagnostician, who was hired 2 years ago (with PL 94-142 funds) to develop consistent educational evaluation procedures across the LEA, reported that a change has occurred in the number of appropriate referrals to SLD.

## Eligibility for SLD, EMR, and SED Services

Last year, we found a shift in the characteristics of the mildly handicapped population being served; in particular, we found that the number of children found eligible for SLD programs was increasing relative to the number of EMR children. We therefore pursued this topic during the second year to gain a better understanding of why this increase is occurring.

In general, we found considerable variation not only in who receives SLD services, but also in what services they receive. We also found that some sites were attempting to stem the increases in the SLD population by tightening eligibility requirements. Other sites were just beginning to experience an increase. The variation occurs both among states and among LEAs within the same state. This is not surprising because the sites initially differed in sophistication and because SLD involves considerable discretion in determining both who is identified and what services are received.

We also followed up the problem of "gray-area" children identified last year. These are children who are not identified as handicapped but are still in need of services.

### State Definitions of SLD Eligibility

In seven of the nine states participating in our study, the state definition for SLD eligibility closely resembles the federal definition (Section 121a.5, Section 121a.541). As one state director of special education noted:

> We parrot the federal definition on LD, but it's a mess still. We're in the same bind as a lot of states on this issue. The districts say the definition is not precise at all.

Another state director of special education indicated that the state department of education intentionally has left the SLD definition open because it wants LEAs to develop their own criteria for entry and exit into their local programs. In a third state, the SEA changed its SLD eligibility requirements in Spring 1979 in response to a court decision that found a disproportionate number of Black children had been placed in EMR classes. Under the revised eligibility criteria, LEAs in this state have more flexibility this year in placing children who might not have qualified previously in SLD programs.

In two states, the definitions of SLD eligibility are stricter than the federal definition. One state has a strict categorical system and correspondingly rigid state program eligibility requirements. The SLD criteria specify that evidence of a disorder in one or more of the basic psychological processes must exist (e.g., visual or auditory channel processes, haptic channel processes, sensory integrated processes). The criteria also require that evidence of academic deficits be based on expected levels of student functioning such as "85% expectancy age or below for 3-6 years of school attendance." The other state requires a functioning level of two-thirds or below expected academic performance, as well as a deficit of greater than or equal to 1.5 standard deviations below the mean in one or more of the basic psychological processes. Moreover, both states have imposed limits on the percentage of the school population that can be identified as SLD.

In one state, LEA personnel feel pressure to minimize SLD referrals/program placements at a time when the SLD identified population is increasing. Consequently, some children may remain inappropriately served. The other state lifted its SLD limit this year so that LEA administrators no longer have a disincentive to classify students as SLD.

## Local Definitions of SLD Eligibility

Because most states have fairly unspecific criteria for determining SLD eligibility and because of the limited state of the art in diagnosis of perceptual processing and learning problems, LEA staffs must struggle with the question of who belongs in SLD.* Each LEA tends to adopt its own criteria, leading to significant local variation. LEA guidelines include criteria such as:

- Two years below grade level in two major academic areas.
- One and one-half standard deviations below mean in one of three areas of age, IQ, or grade level.

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*LD definitions generally cover a continuum of students having learning problems ranging from severe perceptual and/or academic deficiencies to milder learning difficulties. General agreement exists about the diagnostic procedures to use to identify those students at the severe end of the LD continuum, but LD professionals (administrators, psychologists, teachers) have difficulties in determining where to draw the line regarding students at the milder end of the continuum, those with academic learning problems and/or mild psychological process deficiencies.

- IQ cutoffs plus discrepancy in grade level and ability.
- Average or above-average IQ but severe memory, perceptual or dyslexia problems.
- Evidence of neurological problems.

However, across LEAs, the personal discretion of the evaluator (i.e., clinical judgments, interpretation of eligibility guidelines, professional philosophy) is still a major determinant of which children qualify for SLD. As one local psychologist stated:

> The state definition is really a hindrance. It makes too many kids [with minor reading problems] potential LD kids. I'm not sure the diagnostic tools we have distinguish kids appropriately. Generally, we use a rule-of-thumb for LD--6 months behind in the primary grades and 2-years' lag at secondary.

### Tightening SLD Eligibility Criteria

Among LEAs that are dealing with the diagnostic problems as well as with increasing awareness of SLD problems and pressures to avoid EMR and SED labels by identifying children with learning disabilities, some have attempted to tighten SLD eligibility criteria to control which children belong in SLD. As one director of special education remarked, "We have to draw the line somewhere." One LEA, for example, changed its SLD program eligibility guidelines this year in anticipation of an SEA plan to do the same. With this change, some children with milder learning disorders may be ineligible for SLD services, but the LEA will have a more effective screening device and will eliminate the need for much reevaluation if and when the SEA revises its criteria. In one rural LEA, the district formed a committee to develop a "good practices" manual regarding the interpretation of SLD eligibility criteria so as to tighten them.

### Services for Gray-Area Children

This year, we focused more attention on the children who are found to be ineligible for either SLD or EMR. These are the students who "fall through the cracks" of special education categories. They are typically referred to as slow learners or as the gray-area children. The majority of our sites have such gray-area children, who typically fall roughly within the 80 to 90 IQ range. Often assessment results indicate that a child is neither SLD or EMR because he or she is in the dull normal range without the signs of a "classic SLD case" but with an IQ too high to qualify as EMR.

Whether or not such a child receives some special help depends largely on the range of services available within the LEA and the child's eligibility for other programs. The following are the typical program options that districts can use for a child who must remain in the regular classroom with supportive services:

- Remedial reading
- Elementary and Secondary Education Act (ESEA) Title I
- State compensatory education
- Bilingual education
- Migrant education
- Indian education.

In one district, alternatives available to slow learners range from Title I to bilingual, migrant, or Indian education. In general, more options exist for remediation at Title I schools than at non-Title I schools within the same district.

Overall, most LEAs acknowledge that the slow learners are not being adequately served for the most part. One LEA established a task force this year specifically to focus on the needs of slow learners. Each elementary school's staff developed plans for these students and created new alternatives such as having the SLD teacher work with the learning center teacher and extending the hours of the learning center for individual students.

### Local Interpretation of SED Eligibility Criteria

In less than half of the study sites, confusion exists over who belongs in SED programs. State definitions for SED eligibility are generally vague enough to allow for considerable discretion at the LEA level. Having such leeway, some LEAs question what the boundaries are for their defining and serving the SED population. A mental health representative in one site commented that the SEA has not satisfactorily defined "emotionally disturbed." A district psychologist concurred that the SED classification is "an unclear area" but indicated that the operational definition of SED "...is the youngster who is functioning adequately in school but has other problems like acting-out behaviors."

In one of the rural sites, administrators during a recent meeting dealt with the "appropriateness" of the SED program for students with delinquent behaviors. The group questioned whether delinquent behavior constitutes a "severe emotional disturbance" and whether special education services should apply for delinquent youths. The issue was not resolved; typically, the LEA psychologist looks for evidence of "psychological disturbance" as part of determining SED eligibility.

This year, one suburban site also struggled with the SED eligibility issue. In the past 5 years, the district's SED population has grown from 13 to 100 students. The LEA director of special education is questioning whether all these students belong in the SED program. She believes that the program should not be serving students who are merely "acting out" in school. In an effort to ensure that the program will serve those students who have serious emotional disturbances, the director set up a committee this year to discuss and better define who appropriately belongs in SED. The LEA will work with the committee to:

- Write an LEA definition of SED--The definition developed will probably be exclusionary (i.e., not unmotivated, not using drugs, not a truant).
- Develop a questionnaire to be used by the diagnosing psychiatrist--The LEA wants to focus diagnostic evaluation more on analytic than behavioral diagnoses. It wants specific answers as to the causes of the student's problem, not just the statement that he or she is truant.

### Overlap of Special Education and Title I

Some children with learning problems meet both special education and ESEA Title I eligibility criteria. These dually identified students tend to meet SLD eligibility criteria as well as Title I school-level criteria, which are based on educational deprivation (defined usually as low scores on achievement tests). Because last year we saw that placement decisions for individual children depended heavily on the availability of program slots, we focused this year on how school and LEA educators decide what services a dually identified student should receive from among the range of alternatives (e.g., regular classroom, Title I, SLD program). We also investigated whether special education students can receive Title I services in addition to special education.

In the LEAs in our study this year, only a few were deciding to place dually identified children in Title I because of the lack of openings in special education. In a site with both Title I remedial reading and special education (SLD) services available, the director of special education in fact expressed concern about the overlap of populations in the three programs. The director is concerned because he thinks that some children served in either the remedial reading program or in Title I might be served more appropriately in the special education resource room.

In one urban, resource-poor dictrict, however, the overlap of the special education and Title I populations is a major problem for service delivery. Because of serious funding problems and a subsequent discrepancy between resources and needs, the LEA has encouraged guidance counselors serving Title I schools not to overload special education classes with children who qualify for both special education and Title I. The counselors are advised to place children in Title I because the program has more money to work with and more spaces available and Title I teachers can have larger classes.

To a large degree, in the resource-rich site, as well as others, the type of recommended placement depends on the availability of programming options in the school that the individual child attends. As an LEA diagnostician commented:

> Overlap is a continuing problem between resource special education and remedial reading...there is a great deal of variability from school to school, school location and the size of the student body [in how the child's placement is decided].

Overall, the presence of Title I in an LEA offers educators a broader range of service delivery alternatives to consider when making decisions about students with learning problems.

The issue of whether special education students can also receive Title I services is generally problematic in most LEAs. In a recent study (Birman, 1979), SRI investigated whether dually identified students received Title I services, only special education services (funded, in part, by PL 94-142), both, or neither. The finding was that while duplication of services was not a problem, exclusion from services was a problem. Some dually identified children did not receive both sets of services because of confusion resulting from the ambiguities in federal policies governing overlap issues.*

In the LEAs in the longitudinal study, we found considerable variation regarding whether special education students can also receive Title I services. For example, several LEAs were concerned about the supplanting issue and made an effort not to provide handicapped children with Title I services. In one rural LEA, there was a large Title I program; Title I and the SLD programs were kept very separate in this LEA, and an SLD student could not also receive Title I services. In another state, the SEA told an urban LEA that a child enrolled in full-time special education, although eligible for Title I, may not also be enrolled in Title I because that would duplicate services. However, this LEA does serve less-than-50%-time students in both programs, which is permissible under SEA guidelines.

Other LEAs "blur the lines" between special education and Title I so that handicapped children may receive Title I services that seem necessary. For example, a special education director in a large district has worked out an arrangement this year with the local Title I group whereby if Title I services are indicated on the IEP, a child can receive Title I services in addition to special education services when the parent signs the IEP. Unfortunately, if the parent does not sign the IEP, then the child not only does not receive Title I services but he or she cannot receive special education services. Otherwise, this could be interpreted as supplanting (i.e., the Title I program would be seen as replacing special education).

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*Recently published proposed Title I regulations address the pervading issue of exclusion of handicapped children from Title I services. The revised regulations state that handicapped students "who can reasonably be expected to make substantial progress should be able to participate in Title I" (Education Daily, 6/5/80).

Overall, LEAs remain confused by the provision of Title I services to special education students. Forthcoming revised Title I regulations should help to clarify the issue in the future.

### Summary

Regarding the LEAs' determination of who receives special education, our findings in 1979-80 were as follows:

- Little change has occurred in LEAs' child find project efforts, which still focus primarily on the preschool population.
- Prereferral intervention strategies, designed to decrease the number of inappropriate referrals to special education, increased this year. These strategies support the intent of the law not to misclassify children and to retain children in the regular classroom with support.
- The appropriateness of referrals increased this year; that is, numerous IEA and school personnel reported that children being referred for SEARS now are truly eligible for and in need of such services. The use of prereferral intervention strategies and the regular teachers' accumulation of knowledge about special education are two factors that enhanced the appropriateness of referrals.
- In general, the interpretation of SLD eligibility criteria varies considerably across sites. A state-of-the-art problem still exists in diagnosing who belongs in SLD. This problem results in part because federal and state definitions allow substantial local discretion in establishing identification criteria. Also integral to the problem is the limited consensus among educators about appropriate diagnostic procedures for assessing potential SLD children.
- The trend toward an increasing number of children found eligible for SLD programs relative to the number of EMR children continued. Some LEAs were tightening their SLD eligibility criteria to control which children are placed in SLD.

- In the majority of the study sites are gray-area children who do not meet the eligibility criteria for either SLD or EMR. Whether such children receive some special help depends largely on the range of services available within a given LEA.
- About half of the LEAs were confused about who belongs in their SED programs. The confusion stems from generally vague state definitions of SED, as well as from a question about what the LEAs' boundaries of responsibility are for other agencies' target populations (e.g., delinquents).
- In LEAs that have Title I services, educators can consider a broader range of service delivery alternatives for children who meet both Title I and SLD eligibility criteria. However, most LEAs are still confused about whether children receiving special education services can also receive Title I services without violating the regulations against supplanting services.

## Procedural Compliance: Letter or Spirit of the Law?

Last year, we reported that LEAs by and large were meeting the letter of PL 94-142, having established procedures from evaluation to placement. We concluded, however, that a substantial distance remained between procedural compliance and implementation of the intent or spirit of the law. Hence, this year we sought evidence of movement from implementation of the letter of the law to reflection of its intent; that is, we examined whether the procedures are fostering attention to individual needs. This issue is discussed below under the topics of evaluation, IEPs, parent involvement, and LRE. Next, we discuss the trade-offs (i.e., administrative/ paperwork burden) that districts have made to implement the procedural requirements of the law.

### Individualization of Evaluation Practices

In recent years, and even before the passage of PL 94-142, the trend has been to use a more multidisciplinary approach to evaluating children for special education. Last year, we reported that nearly every study site used this broadened approach, which is consistent with the major requirements of PL 94-142. This year, we probed in more depth the extent to which changes have occurred in local evaluation practices that result in greater attention focused on the unique needs of individuals (for example, as opposed to use of standard test batteries or fitting of children into available slots).

We found generally that placement decisions at the elementary level are still strongly governed by what services are available and by eligibility requirements, particularly in states with strict categorical systems. Hence, highly individualized evaluation results can be incorporated in the decisionmaking process to only a limited extent. Although most of the sites continued to use the multidisciplinary approach to assessment for special education, 4 of the 17 sites reported that adherance to strict interpretations of eligibility requirements has hindered attention to individual needs. For example, even though a variety of information was gathered by the placement team in one study site, state special education eligibility requirements were still the major factor in placement decisionmaking. Some flexibility can be exercised in interpreting the test results of a child on the border of special education eligibility; nonetheless, in the strict categorical system in that state, only limited attention can be focused on unique needs during the evaluation process.

Where eligibility for special education is less strictly connected to eligibility for a particular service, LEAs have been able to be more flexible in matching services to needs, ignoring particular labels; for example, a child may be served in a particular SLD class that is well suited to his or her needs even though the child is diagnosed as behavior disordered. Such practices may somewhat ignore the nonerroneous classification requirement of the law, but they allow consideration of differences in individual needs for service.

In the majority of LEAs, we found few instances of dramatic change in evaluation practices; where significant changes did occur, they tended to result from pressures of the court or federal monitors, which was also the case last year. The only significant changes in evaluation practices during the 1979-80 school year resulted from outside intervention such as the Larry P. and Mattie T. court decisions and monitoring by OSE and OCR.

Last year, we reported that because of recent litigation in one state, confusion had arisen about the use of IQ tests in determining eligibility for special education. This year, we found that some confusion still exists among the state's LEAs regarding IQ tests (particularly for potential EMR placements), but the SEA has issued a moritorium on the use of IQ tests in special education evaluations. Unfortunately, the state of the art is such that no adequate alternative has been proposed, leaving the LEAs in a quandary. For the most part, the LEAs interpret the court ruling to mean that the result of an IQ test cannot be used as the sole criterion for EMR placement.

We also reported last year that a court decree on evaluation practices was pending in another state. This year, in response to the court decree, the state restructured its entire evaluation process to incorporate intervention strategies, an emphasis on multidisciplinary assessment, and new eligibility criteria. The impact on one of its LEAs has been greater flexibility in establishing special education eligibility. That is, changes in practices and eligibility criteria have allowed identification of some children in the district as SLD when in the past they probably would have fallen in the high EMR range or might have been classified as a slow learner and would not have been eligible for special education (i.e., borderline cases).

This year, as a result of OSE monitoring, one state was told that all SLD students counted for federal special education reimbursement must receive a complete case study evaluation (not just an educational assessment). OCR also charged that in one LEA in that state, a disproportionate number of Black children were in self-contained settings. Therefore, the LEA elected to include an additional test (adaptive behavior scale) in its standard battery to help staff make more appropriate placement decisions.

Although significant changes in evaluation practices in the majority of sites were lacking, we observed the following refinements in practices:

- Movement toward educational assessments instead of or in addition to psychological assessments.
- Streamlining of practices.
- Postplacement assessments to check the validity of placement.

In two states, the SEA has promoted a policy of using more education-based assessment, which incorporates greater teacher input into the evaluation process. One of the two states made this move as part of a comprehensive restructuring of the state's evaluation practices to make them less "test-based;" the restructuring is being undertaken in response to a federal court decision that the state's former evaluation practices were racially discriminatory.

On the other hand, two LEAs in two other states increased psychological assessments. In one LEA, this change resulted from the LEA special education director's realization that with just the use of an educational assessment, "we found we were working with non-LD kids" who were filling up the SLD classes. As a district psychologist stated:

> Before this year, LD was based on a basic [educational] screening...I think the new policy was in response to the state regulations' statement that if a child needs 50% or more time in class [special education] the youngster must have a psychological.

Although the level of assessment has remained generally stable in the majority of our sites, two LEAs attempted this year to streamline their evaluation procedures. In one LEA, the special education director is streamlining the evaluation and placement procedures to save time and money by involving only himself, the psychologist, the referring teacher, and the parents in the multidisciplinary team meeting. After having been accused of "overkill" in its evaluation practices by SEA monitors, the other LEA has reduced the number of tests given for special education evaluations. In addition, the administration has given the psychologists quotas (an average number of clients to assess) in an attempt to accelerate the evaluation process.

To supplement evaluations, one LEA has used some of its PL 94-142 funds to purchase additional psychologist time to institute specially tailored evaluations of children after they have been placed in special education programs. Through these postplacement assessments, the LEA intends to obtain a better understanding of a child's learning problems and strengths; this is achieved by administering, for example, tests that indicate how students process information and tests of reading that circumvent articulation problems. This information is shared with teachers so that they can more appropriately serve their students.

As is true at the elementary level, placement decisions regarding high school students are also generally governed by the services available and eligibility requirements. Particularly troublesome at the high school level in some districts is the increased agreement burden (i.e., through the use of a multidisciplinary approach that requires more time to complete), which results in fewer misclassifications but fewer children being processed through the system. The backlog problem at one LEA, created by the increased assessment burden and the lack of sufficient evaluation personnel, made evaluation and placement of high school students referred to special education very difficult. As one placement chairman indicated:

> Counselors are quitting...they won't refer anybody again. Referrals made in September still were not granted [services] by the end of the year...it's out of the question to refer a senior. Referring a junior is a problem.

So that these students would be served in the interim, "temporary" special education placements were made. The net result was that students were not receiving appropriate services in a timely manner.

Except when stimulated by outside forces such as the courts or federal monitoring, most LEAs initiated little change in evaluation practices since last year, although they did refine practices. Changes in evaluation practices, however, do not guarantee implementation of the spirit of the law. Even though LEAs are using multidisciplinary approaches to evaluation practices, special education placement decisions are generally not based on highly individualized evaluation results because of the strict connection between eligibility (diagnostic) criteria and criteria for particular reimbursed services in some states. The majority of LEA evaluation practices have been designed to meet the intent of individually tailored evaluations, but the end result may not be an appropriate placement because of other constraints.

### Individualization of IEP Practices

Last year, we reported that the major activity at all the study sites was to implement the IEP requirements of PL 94-142, particularly the written IEP document. We found that IEP meetings had been held with the required participants and that IEP documents had been developed for handicapped children and signed by parents.

We also found, however, that LEAs were reluctant to recommend in the IEP the student's needs and services that, although necessary, were currently unavailable or too costly to the district. LEAs that had experienced due process hearings were particularly sensitive.

This situation remained generally the same this year, although we found some indications of movement toward more individualized IEPs. These instances were a direct result of streamlined IEP development and expansion of services.

### Changes in the IEP Process

This year, we found that several sites had designed shortcuts to the IEP process. For example, two sites compiled curriculum guidelines for each disability area, providing a list of long- and short-term objectives from which to draw. In another site, a boundary crosser developed checklists to help develop annual and short-term goals. She writes the IEPs and claims that these lists have made her "a tad more efficient;" they enable her to individualize each child's program "without writing a book on each kid." In the past year, other sites adopted such shortcuts as:

- Shortening the IEP form.
- Color coding the form to indicate whether the short-term goals have been met.
- Using computerized systems to help determine the goals based on test results.
- Changing the size and shape of the IEP form so that it fits into a typewriter.

Several other factors are also leading to less burdensome IEP processes in the study sites. In one site, the IEP process was perceived as being easier because the multidisciplinary teams involved in writing initial IEPs were functioning better as teams. In addition, in that site, more teachers now claim they are using the "negative option clause;" that is, when parents fail to attend the meetings, IEPs are sent to parents by certified mail and if no response from the parents is received within 10 days, parental approval is automatically assumed.*

### Recommendation of Services

As was true last year, we found this year that recommendations written in the IEP are usually tempered by the extent or variety of available services. This practice is most often reflected in the lack of recommendation of certain related services such as counseling, physical therapy, occupational therapy, and psychiatric services.

In five sites, we found that the LEAs had issued explicit written policies on recommending services and/or had attempted to regulate the types of recommended related services written in the IEPs. For example, one LEA established a policy of not promising services that cannot be provided because it feared lawsuits--a direct result of the more than 50 due process hearings that were filed by parents last year over the issue of private school placements. In two sites, the LEA made a distinction between "binding recommendations" and "suggestions" for services; these policies were established after the passage of PL 94-142 This year in another LEA, the administration established a rule that "no services can be written on the IEP unless the service is assessed for [by a specialist in the area]...[and] never specify the amount of time [for service] on the IEP." Apparently, recommendations had been made without regard to actual resources, particularly for services on the education/medical border such as vision therapy and psychotherapy, and no clear SEA guidelines existed.

Policies limiting recommendations on IEPs were not restricted to LEAs. Respondents in one state told us that state law forbids LEAs to use education funds to purchase "treatment" (medical services funded by other state agencies). Therefore, an official SEA policy is that psychological and psychiatric "treatment" services are not written on IEPs developed by LEAs (discussed in detail in Chapter II).

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*The draft OSE policy paper on IEPs states that parents and personnel at the IEP meeting are not required to sign the IEP, but the signatures "could be a useful tool" for monitoring compliance with the plan.

Six sites reported an implicit policy within the LEA that services were not recommended if they were not available although actual practice may have varied within the district. The PL 94-142 coordinator in one district commented that, practically speaking, teachers know what services are available and word their recommendations accordingly. An SLD teacher in another district said that the administration had endorsed a conservative approach: "Teachers have been told to be careful about what they offer [on the IEP]."

Several reasons explain why LEAs are cautious about recommending more services than they are able to provide, whether or not an explicit or implicit policy exists on IEP recommendations. These reasons include:

- Lessons have been learned from actual due process hearings and future hearings are feared.
- Problems have been encountered with receiving services from other agencies. For example, in one site a psychologist stated that the problem is often not that the agencies are unwilling, but that they are not adequately funded: "They're overwhelmed. [There are] 8 hours of counseling time available for every 40 hours requested."
- Resources are limited and LEAs are concerned about "long-term liability."
- State laws and/or regulations prohibit LEAs from recommending particular services.
- Political concerns arise within the local context. A special education supervisor in a large urban district commented that the political pressure in the community is very real and influences what services certain students get:

  > We offer what we're able to--not always what's ideal. Some students who need related services 5 days a week get them; not many....The law says provide an "appropriate" not "ideal" program.

### Individualization of IEPs

In the majority of the LEAs, we could not determine whether IEPs reflected more individualization this year than in the past. One LEA reported that a citation last year by the state compliance team had prompted a strong effort to have IEPs reflect individualization. In another LEA, we found that IEPs had become substantially more vague because the administration had issued new policies concerning what may be written and the degree of vagueness that must be used in writing the

IEP. School personnel in four LEAs reported that recommendations on some IEPs are still made more on a program basis than on an individual basis, particularly at the secondary level.

We did find, however, that within the limits of the resources available at a particular site, LEA personnel are attempting to provide "individualized" programs for handicapped students. Individualization occurs in several ways:

- Students are frequently provided with individualized instructional goals.
- Students are provided with different support services depending on their unique needs.
- Students spend varying amounts of time in the special education setting/mainstreaming activities.

The following examples, provided by parents, illustrate how student's individual needs were taken into account by administrative and school staff members in making decisions about special education services and placement.

### Case 1: AN ELEMENTARY STUDENT

An elementary-age child had been served in various special education classes for about 3 years. He is a complicated case and "has always needed extraordinary intervention." He started in a new placement in Fall 1979, but it didn't work out. The district then provided a full-time aide, who gave the child one-to-one tutoring. However, the child continued to regress, so the LEA put him on a homebound program while a psychiatrist reevaluated him. At the subsequent multidisciplinary staffing conference, the district recommended to the parents that they at least try another public school setting. Placement at the TMR facility was also discussed, but the child is functioning at too high a level for that to be appropriate. As the mother commented, "They could have dumped him there, but they didn't." Finally, the parents agreed to a "diagnostic placement" in another special education class in a different LEA. The home district is also providing psychotherapy two times a week. At this point, the LEA has recommended that the child be placed in a 24-hour residential school and the parents have agreed to that suggestion. Thus, the child remains in the diagnostic placement while the district tries to work out the funding for the child to attend a private school in another state.

### Case 2: A HIGH SCHOOL STUDENT

A tenth grader moved with her family to an industrial site several years ago from out of state. Her mother readily admitted that special education in their new locale is not as sophisticated as in the other state, but she also feels that school personnel in the new district have shown genuine concern for her child. She indicated that whenever she has made a request regarding her daughter's program, it has been carried out. For example, her daughter wanted to participate in the Navy Junior Reserve Officer Training Corps program. The mother asked if this could be arranged, and the EMR teacher set about finding out if it was feasible. With maneuvering and work, the child's classes were all rescheduled so that she could enter the program. She is on heavy medication, and therefore additional arrangements had to be made so that the commander of the ROTC program would be in charge of administering the medication. The child enjoys the program very much and is getting some such-needed discipline.

## Parent Involvement in Decisionmaking

Last year, we reported that most schools had met their legal obligation to involve parents in decisions concerning their children. Forms and procedures had been designed for informing parents of their legal rights, for notifying them about actions taken regarding their children, and for obtaining their signed consent to these actions. Although these procedures were used, this did not necessarily mean that parental consent was "informed" nor that parents were making substantive contributions to school decisionmaking. We found that both of these goals require significant changes in the ways parents and schools work together, and therefore that achieving such change will be a gradual process.

This year, we tried to assess whether any change had occurred in the quantity as well as quality of parent-school interactions and to determine the effect of these interactions. We examined, for example, the parents' role in the evaluation process, how parents' views are taken into account in making decisions about services and placement, and whether parents' attitudes about involvement had changed (e.g., whether they were questioning more or actively seeking information).

Our data indicate that no change has occurred in any of the 17 study sites in the number of contacts between parents and the schools; however, this is not too surprising because last year the number of contacts had already increased with the adoption of new notification and consent procedures. This year, six LEAs had made or were making an effort to better inform and more actively involve the parents in their districts. In one site, we found that the pilot program of "parent facilitators" observed last year was to be expanded from the preschool level to a systematic program at all grade levels. Parent facilitators are parents in each school whom the district trains not only to understand parents' rights under PL 94-142, but also to understand the district's constraints. They are to educate other parents about how to operate in a new role for parents--as a team member with school personnel. The district hopes that these people see both sides; that is, as they learn that schools are not withholding services they have but rather cannot do everything and must set priorities, a balance will be maintained between parents' expectations and the district's willingness/capability to provide services. So that these parents would not be perceived by others as puppets of the school administration, the parents chosen were those who were not "yes" people in their relationships with the school. In another site, with the help of the local association for retarded citizens, the special education director is promoting a Parent Action Network. This group will keep parents informed and educate the general community; each school will have a representative who will serve as a contact or liaison.

We found in the majority of sites again this year that parents do not make substantive contributions to the decisionmaking process regarding their children,* and at IEP meetings they tend to trust the placement and services recommended by school personnel. This occurs in part because parents have limited information about options as well as a combination of personal constraints and fears. In addition, the amount of time school staff can (and will) devote to involving each parent with all the necessary specific issues is limited. Comments from parents included:

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*In almost half the districts, we found that parent input was actively sought by school personnel regarding the child's developmental history (e.g., descriptions of behavior, family history, health). This information can affect placement decisions. A counselor in a large urban district stated: "If you can get the parent in and get them to understand, lots of times this makes a big difference."

> Parents are not aware of changes in kids' schedules...[but] they've been encouraged to speak up.
>
> They came with a plan [to the IEP meeting]...you have to start somewhere, but I had my say.

From school and district personnel, we heard:

> Parents are benign...IEP writing is really not a togetherness venture; parents have limited input.
>
> The purpose of the IEP is to allow parent input to an appropriate educational plan but not to have parents dictate what goes on in the classroom.
>
> You can make the situation so that the parents can get involved, but then it's up to the parents to take responsibility and ask questions...giving the parents the opportunity is not enough.
>
> Parents seemed intimidated at first. I told them it's a plan for your child. I told them they could add things, but none did...they seemed real nervous, afraid to say anything.
>
> We're not excluding them [parents] per se [from the placement meeting]--just not making any real effort. It's hassle enough for them to come to other meetings.
>
> Most parents don't come to the placement meeting. When they do, we make it clear they have the final say. Some contribute, but most don't.

As noted in Chapter II, parent involvement at the secondary level tends to be less than at the elementary level. Although variations occur across districts, some of the reasons for this situation include:

- A limited number of initial placements made at the high school level.
- Greater student involvement.
- Parents have been through it all at the elementary level and either trust the schools or have become apathetic or frustrated with the process.
- High schools take fewer steps to actively involve parents in decisionmaking.

Most decisions concerning services and placements are proceeding generally as they did last year. As mentioned previously, what is written on the IEP is usually related to what services are available in a district; about half of the districts are exercising more caution in recommending particular placements and services. As a result of this cautious stance, fewer free and open discussions occur between parents and school staff concerning needed services, and possibly less attention is given to individual needs. In one district where explicit directives have been issued on where the line is to be drawn on LEA liability, parents sense an "undercurrent of walking on eggs." In another LEA, the central office has not provided district special education consultants (who deal with parents) with clear directives about what may be recommended on the IEP, which has resulted in a sense of mistrust among parents. In a large urban LEA, a psychologist stated:

> In the past, I would have been more of an advocate for the children...I do less of that now. Laws like this [PL 94-142] pervade the atmosphere with "let's be careful." I no longer tell parents what I think is best for the child.

And from a teacher:

> Even though the speech therapist said she couldn't recommend more speech therapy, I told the mother to go [somewhere else] and get some really thorough testing done. Parents here will pay for their own services, so teachers recommend the service the child needs. We know which parents are troublemakers, though; we'd never say this kind of thing to them.

Despite these constraints, parents who are very vocal can still influence recommendations: "There is a bias in favor of parents who look out for the welfare of their children." Some parents commented "If you complain loud and long enough, you get things."

In contrast to those findings, in four sites we found indications that some changes have occurred in the level of parent involvement in the decisionmaking process regarding services and placements. For example, one LEA had previously used a two-pronged system of decisionmaking that consisted of the school staff meeting first to decide on the placement and then again to share this decision with the parents. This year, this practice was collapsed into one meeting. The change was recommended by the SEA after its Spring 1979 monitoring visit, and parents now have more of an opportunity to offer input that will influence their child's program and placement.

In another LEA with a very active Association for Children with Learning Disabilities chapter, some parents have begun to put pressure on the psychologists to identify their children as SLD. If the psychologist in the schools does not identify the child as SLD, the parents exercise their right to an independent evaluation and pay an outside professional to diagnose the child as SLD and "bring in the papers to prove it." Apparently some parents get their way because no hearings have been held on such identifications, but the director of psychological services stated: "Some parents lose sight of the child's rights in their effort to get an LD placement" (the SLD label is respectable and acceptable to parents). One district has pressured parents this year to take some responsibility in helping their children by telling them that if they do not participate in meetings, the LEA cannot appropriately serve their child. According to the special education director, "More parents are now attending staffings [because] parents have to commit to time, money, and home reinforcement."

Overall, we found that parent involvement and satisfaction, although not necessarily linked, continue to vary greatly both within and between districts. Some of the factors that influence the level of parent involvement and/or satisfaction include:

- History and traditions of particular communities (e.g., the level of parents' expectations, knowledge of the law and special education programming, parents' attitudes toward the schools).
- Demographic characteristics of neighborhoods (e.g., the lack of personal contacts in large urban areas, the inaccessibility of remote rural areas).
- The policy established by the principal or a handful of teachers at a particular school, as well as across the LEA by the administration (e.g., the quality of dialogue between parents and school personnel, the degree of flexibility of parties in resolving differences of opinion).

Factors outside the local context have also influenced parent involvement to some extent. Some of these factors include: desegregation orders (cross-town busing makes parent-school meetings more difficult), SEA monitoring, and court decisions. In general, however, the goal of substantive parent involvement on a large scale is still quite a distance away from realization.

## Least Restrictive Environment

Last year, we found that consideration of LRE was drastically curbed by a limited number of placement options (i.e., settings as opposed to services). This year, we examined the continuum of alternative placement settings available at each of the LEAs that enables them to accomplish the goal of educating handicapped children in the least restrictive environment. In addition, we sought to identify specific ways that mutual exposure of handicapped and nonhandicapped children is being accomplished.

### Continuum of Placement Options

We found that the widest continuum of placement options is available to mildly handicapped students (e.g., EMR, SLD). This continuum at the elementary level usually consists of self-contained classes, resource rooms, and regular class placements with support services such as speech therapy, OT, PT, or counseling. In some instances, these placement options are cross-categorical or noncategorical (that is, they serve students with a variety of handicaps), thus allowing for more flexibility in placement. More severely handicapped students (e.g., SED, TMR) rarely have a variety of placement options available to them. Most frequently, these youngsters are served in self-contained classes, which in many cases may in fact be appropriate.

We did find a few exceptions to this trend, however. For example, one site created a new placement option to accommodate high-functioning TMRs. Another site is developing a range of placement options for SED youngsters, including off-campus programs as well as part-time placements. Finally, a third site that has historically been progressive in its provision of services for the orthopedically handicapped offers a wide range of program options to those children. Placement ranges from a self-contained class in a separate facility to a regular class placement with numerous support services such as special transportation, full-time assistants, and communication devices for nonverbal students.

We found that LEAs can independently and creatively extend their range of special education programming options as well. For example, in a high school with no resource rooms, some students were served in a resource-room-like way by attending the self-contained classroom on a part-time basis. In another site, which has few placement options, an SLD resource room is used as a transitional placement for a number of special education students coming out of self-contained classes and moving toward regular classroom placements.

At the secondary level, we found evidence of a continuum of placement options in only a relatively few sites. When such a continuum does exist, it mainly serves the mildly handicapped.

### Mainstreaming Activities

At each of the 17 LEAs, mainstreaming activities continued on both group and individual bases; for example, an entire EMR class was mainstreamed for art and music, and a child was individually taking a regular mathematics class. Our data this year further support last year's finding that mainstreaming can be helped significantly by:

- A supportive principal.
- A good working relationship between the regular and special education teachers.
- Aides and assistants to support regular teachers.
- Boundary crossing personnel who work with both regular and special education teachers to ensure a coordinated program for individual children.

In several sites, we found that mainstreaming had increased this year. For example, one site reinstated art and music district-wide, and for the first time district policy was to have special education students participate in these classes with their age-appropriate peers.

We also found evidence in some sites of more individualized mainstreaming. As one teacher described, "The kids' schedules are independent... they are used to coming and going." We learned in one site that mainstreaming still had not begun, however, because "Up until this year, compliance has received high priority."

Common themes expressed by many special and regular educators alike were the need for better communication between staffs and the need for additional support for the handicapped child and regular teacher in the mainstream situation. As one teacher said, "Mainstreaming helps alleviate some problems kids have. But if you don't give them the appropriate amount of help they are hurt personally. That's why aides are helpful." A teacher with a less positive opinion said:

> My big gripe about mainstreaming is that these kids are thrown out of their rooms without adequate support. They're disoriented in the first place. I feel they should be given more individualized attention. Mainstreaming takes away from why they went into special education.

We found a number of strategies being used to facilitate the mainstreaming practice, as follows:

- In one site, a notebook is carried by the special education student to his or her regular teacher, special education teacher, and parents as a device for coordinating his or her program. Each adult writes in the notebook homework assignments, suggestions of work for the others to do with the child, and the like and reads what the others have written. For example, the regular education reading teacher might send a vocabulary list for the special education teacher to work on with the child, and the special education teacher might then suggest that the parents also help the child learn the vocabulary list. This communication device is often written into the IEPs of special education students in this district.

- In the same district, an assignment sheet (devised by the boundary crosser who developed the notebook system, is used "to aid regular and special education teachers, parents, and students in communicating about school expectations for special education students enrolled in modified regular education programs." The sheet lists goals for the regular class, which are used as the basis for grading in that class.

- In one high school, a file was set up in the guidance office containing information about students who are mainstreamed. Although this system has just started, the hope is that the regular teachers will use it as a source of information about specific students who are mainstreamed in their classes to supplement the general knowledge of special education they have received through inservice training.
- In another site, a teacher of SED students has a form that her students carry to the regular classes. After each period in the regular class, the regular teacher indicates on the form how the child behaved, what the child needs to work on, and so on. This form is then returned to the special education teacher. Because the special education children were initially embarrassed about having a special form in the regular class, this process is handled very discreetly; the child hands the form to the regular teacher before class and then waits until after class to receive the filled-out form.

These informal mechanisms were often used in conjunction with boundary crossing personnel and aides described in Chapter II.

### Summary

Although the number and type of placement options are still influential factors in the placement of special education students, some progress has been made in extending the range of services available in many LEAs. The greatest number of options are available for mildly handicapped students. Whereas some sites have creatively extended the range of placements for all special education students, the more severely impaired still have few choices. In short, consideration of LRE in the placement of special education students does not match the intent of the law as yet.

### Administrative/Paperwork Burden

A major effect of PL 94-142 on service delivery staffs last year was the increased amount of time they had to spend on new tasks and duties, especially those related to the IEP. We found that teachers and support staff resented the extra time spent on coordination, planning, meetings, and paperwork that decreased the time they could devote to delivery services to students.

This year, we investigated whether the attitude of service delivery staffs regarding paperwork would change as a function of time, as they became more familiar and comfortable with procedures. We also attempted to learn whether the actual costs of the administrative burden to teachers and students had changed (e.g., less infringement on instructional time).

### Changes in the Level of Burden

The IEP process, conceived of as the major component of the paperwork burden last year, was perceived as becoming easier and taking less time in 9 of the 17 sites, although within a site various individuals tended to have differing perceptions. In the 9 sites, the forms used were generally the same as those used last year, so the process was becoming routine. Thus, personnel credited the decreased burden to their increased familiarity with the forms, to their knowing what to expect, and to the fact that they did not have to start from "ground zero"; as one teacher stated, "This is the first year we've gotten the hand of doing IEPs...it seems to have gotten easier."

In several of these sites, the decreased burden was also credited to the development of the shortcuts already described to help with the IEP process.

In only two sites were IEPs viewed as being more difficult; however, both of these sites were making major revisions in the IEP process this year. In one site, because of changes in the state regulations short-term objectives must now be written at the IEP meeting rather than after placement. The director of special education in this district commented, "We're struggling, but we're in compliance." In addition, this site is using IEP forms that have already been changed several times, and the current version is still being revised. In the other site where the IEP process is now viewed as more difficult (and also as consuming more time), new, more detailed IEP forms are being used as a result of state monitoring this fall, which found the district to be not in compliance. In the rest of the sites, IEPs are still considered to be time-consuming and burdensome. Teachers are still concerned about the amount of paperwork involved.

In eight of the nine sites where the IEP process was perceived as being easier, the administrative burden--time spent on scheduling and attending meetings, filling out forms--was also regarded as being reduced. The reasons for this decrease included:

- Procedures had become more routine (e.g., forms were generally the same as last year, better coordination exists).
- Procedures had been streamlined (e.g., forms were shortened, requiring fewer individuals at meetings, testing procedures were better organized, curriculum guidelines had been developed).

In the remaining nine sites, personnel reported that the administrative burden had not decreased, and reports indicated that it had increased in four sites. In one of those four sites, paperwork increased significantly because the court had determined that some students had been denied special education services and required that the LEA hold a series of meetings for administrative personnel to review other students who might be entitled to additional special education services. The review process alone took 10 person-weeks and entailed sending letters to parents, preparing documentation, and meeting with parents (10 steps in all). In two of the LEAs, as a result of SEA monitoring, the number of forms was increased or procedures were changed, which resulted in more administrative tasks. In the fourth site, school staff were spending more time in meetings (e.g., via home visits) because parents were requesting more conferences with teachers.

In the future, however, additional decreases to the administrative burden may occur as a result of proposed steps, or steps just getting under way that were described in several sites. For example:

- One LEA has established an MIS and a "forms committee" for special education to help reduce the paperwork burden; the committee has changed the IEP to incorporate short-term goals and due process forms to reflect continuing SEA changes. The SEA is also investigating the administrative burden on teachers and consequently has a task force addressing the paperwork problem, and it is changing the responsibilities of the resource specialists* to relieve them of some administrative tasks so that a greater emphasis can be put on teaching.

- The teachers' union in another LEA has formed a committee to study the problem of all the paperwork in their district.
- One district hired a consulting agency to analyze the LEA's entire clerical situation. The agency recommended the purchase of a word processor for the special education department to ease its burden.

### Impact on Service Delivery Time

Responses to inquiries about the extent to which the administrative burden has affected service delivery time this year fell into three categories: a little, it varies (particularly by role), and significantly. Nine sites, six of which had reported that the overall administrative burden was reduced, reported that the burden of administrative tasks and paperwork took little time away from their service delivery efforts because the procedures had become more systematic or streamlined. A principal in a large district observed that:

> Last year, paperwork cut into service delivery. This year, the resentment is gone now. We've learned to live with it...it's routine.

In five other districts, we found that opinions varied about whether paperwork cut in on service delivery. This variation appeared to center around the job of the individual (e.g., regular education vs. special education teacher, resource specialist vs. self-contained teacher), the perceived benefit of the paperwork, and the time of year. In two of these sites, some of the paperwork of regular education teachers, such as associated with referrals, had been shifted to the special education teachers, thereby creating differences of opinion about the extent of the paperwork burden this year. In another district, the superintendent expressed a growing concern that the special education staff was getting bogged down in paperwork. For example, to obtain inputs from a multidisciplinaty team, psychologists and speech therapists spend 1 month participating in spring IEP update meetings; thus, they do not provide direct servcies for that 1-month period. A speech therapist had told that superintendent that this year she had been spending 60% of her time dealing with documentation and forms and only 40% providing direct services for children.

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*The role of the resource specialist was designed to provide a focal point for special education at the school level; therefore, responsibilities include a number of administrative tasks (e.g., coordinating all service delivery, scheduling meetings and conferences, screening referrals, conducting inservice training) as well as instructional responsibilities.

School personnel at one of those five sites agreed that the paperwork had not lessened but disagreed about whether or not all their efforts are directed to a useful purpose. One group believed that all the procedures and paperwork delay service delivery from 2 to 4 months and had taken away teacher preparation time, which, for example, had given them less time to prepare individualized materials for students. Other teachers felt that although the new procedures and paperwork are a lot of work, they are also ultimately beneficial for several reasons:

- They will ease the burden on the teacher in the long run if he or she can get the necessary help for a student.
- They protect the teachers from parents who come back and say they had not authorized something.
- The IEP helps parents and teachers discuss, in a realistic manner, the goals of a child.

Finally, in the remaining three sites (two of which had an increase in procedures and paperwork this year), personnel reported that the administrative/paperwork burden is still significantly infringing on service delivery time. In one of the LEAs (where teachers are not provided with any planning periods), a special education teacher commented:

> The time factor is our biggest concern--it's getting worse. I'm out of class a lot of the time writing IEPs and I'm spending more time with parents. We should have release time for that. That's the big joke around here--when are we going to teach? You either have to take it out of your personal life or take it out of the time with your kids.

A teacher in another district stated:

> Forms keep changing...some are the same forms with different names. [This is] too much, [there are] 12 forms needed to place kids....It takes less forms to buy a house than to get a kid into a program.

In short, in addition to the effect on service delivery time, respondents noted other costs and benefits of the current level of administrative burden. On the positive side were:

- Greater interaction with parents. A special education teacher stated, "our assessment meetings are very helpful. We get to explain the testing and discuss it with parents. This meeting is very important for the parents."
- A benefit to children in the long run.
- Shifting the paperwork burden away from the regular education teachers provides less discouragement of referrals.

The additional costs included:

- Delays in service delivery. A district psychologist stated, "The pendulum has swung in the other direction--we are now denying kids expedient placements into programs. I see IEP paperwork impeding special education to some extent."
- Less time for coordination of services.
- Union pressure (e.g., over salary differences between regular and special education teachers when both have increased administrative burdens).

In general, the degree of administrative burden differed little between the elementary and secondary levels.

### Summary

In just over half the sites, service delivery staffs perceived a decrease in the amount of paperwork they were required to complete, which included the preparation of IEPs. Personnel credited better coordination and a streamlining of procedures. Where increases occurred, procedures had been added or changes. Opinions varied as to the extent to which administrative burden affected service delivery time, but the majority of staffs reported that services to students had not been significantly reduced.

## Summary

The findings during 1979-80 regarding LEAs' progress toward implementing the spirit of PL 94-142 are summarized as follows:

- The majority of LEAs have attempted to meet the intent of the law through the use of a multidisciplinary approach to evaluation. Their evaluation practices, however, have changed little over the last year except when stimulated by outside forces such as the courts. Although most LEAs are emphasizing individually tailored evaluations, the availability of services and eligibility requirements still strongly influence decisionmaking regarding student placement.
- Recommendations made on a child's IEP are still tempered by the extent or variety of services available. In some sites, an implicit or explicit policy exists regarding IEP recommendations because of due process hearings, limited services received from other agencies, limited local resources, and the like. Although this situation represents little change from last year, movement toward more individualized IEPs was indicated by streamlined IEP development and the expansion of services. In addition, within the limits of the resources available at a given site, attempts are being made to provide individualized programs for special education students, such as through individualized instructional goals.
- In general, parents continue to make few substantive contributions to the decisionmaking process regarding their children. In general, this is a result of their trust in the knowledge of school personnel, their limited information on options available, and a combination of personal constraints and fears. Because school personnel are exercising greater caution in recommending particular placements and services, communication between parents and the schools has become less open in some sites. Parent involvement and satisfaction vary greatly according to the traditions of a community, neighborhood demographics, and school policy.
- The continuum of alternative placement settings has been extended in many LEAs. Mildly handicapped students have the greatest number of options, but few options are available to the more severely impaired. We detected continued movement toward greater individualized programming through the mutual exposure of handicapped and nonhandicapped children. Mainstreaming is facilitated by aides and boundary crossing personnel, as well as by a number of strategies such as use of notebooks and individual assignment sheets. Hence, although progress has been made toward the goal of educating children in the least restrictive environment, the goal has not yet been achieved.

- Opinions varied about the perceived benefit of the vast quantity of procedures and paperwork resulting from PL 94-142 implementation. Nonetheless, the trade-off between the administrative burden created by the procedural aspects of the law and the intent of the law has not adversely affected students according to the majority of school staffs. This was due in part to a streamlining of procedures and better coordination.

# IV SUMMARY AND CONCLUSIONS

The findings presented in this report are based on data from the second year of SRI's longitudinal study of local progress in implementing PL 94-142. In 1978-79, after one year of data collection, we concluded that most new procedures required by the law were in place but that there was nevertheless a considerable distance to go to fully implement the intent of the law. The main factors affecting the speed with which full implementation can occur, we reported, include the resources and knowledge available and organizational barriers (such as the boundary between regular and special education and between schools and other agencies).

In view of these first year findings, the second year of data collection focused on (1) how LEAs dealt with these factors in attempts to meet the full services mandate for their handicapped populations and (2) whether, within these local service delivery systems, school staffs were better able to meet the intent of the law. We summarize the second year findings, comparing them to the first year, and then draw general conclusions about each focus.

## The Local Service Delivery System

In 1978-79 we found that decisions about special education services and placements were shaped by the services that are currently available. In 1979-80 we found this still to be true although the tension between supply and demand had lessened somewhat; LEAs had either tightened eligibility rules for the mildly handicapped thus reducing the rate of children entering the system, or they expanded services allowing an increase in special education placements.

Largely in response to external pressure (including compliance monitoring), emphasis was placed on decreasing backlogs and waiting lists for services in a majority of sites. This was accomplished by hiring more evaluators, increasing the number of programs or the class size, decreasing referrals, or generally streamlining the procedures involved in evaluating and placing students.

During 1979-80 all LEAs in the sample used their available resources to continue to expand services in one way or another. All the sites expanded existing services, half expanded related services, and a third developed new programs for unserved or underserved populations. In contrast to last year's finding that sites expanded or refined services at either the preschool level or the secondary level, this year we found several instances of simulataneous expansion in both directions. Such expansion occurred in LEAs with strong enough core services delivery systems (e.g., sufficient range of services primarily at the elementary level) which enabled LEA administrators to develop or refine services at the preschool and secondary levels.

At the secondary level, some sites made progress in expanding vocational and SLD programs and services for handicapped students. However, the delivery of SEARS at the secondary level continued to lag seriously behind that at the elementary level. Only rarely did a comprehensive range of options exist at the secondary level. Overall, the scope of both elementary and secondary service delivery systems varied greatly across districts, depending primarily on the characteristics of the district (such as local tax base, parent expectations, or state funding formulas). Common across districts, however, were two key problems that we noted the first year: the provision of services for the SED population and for the handicapped population between the ages of 18 and 21.

With the increase in services came an increase in instructional personnel required to staff the programs. The number of types of boundary crossers also increased in several LEAs. The roles and responsibilities of the boundary crossers varied among LEAs but their primary function was to bridge the organizational barriers between regular and special education services personnel.

Inservice training for regular education and administrative personnel remained minimal with the most relevant training still provided informally by boundary crossers. Inservice training for special educators was generally better coordinated than the previous year, but reflected only a slight increase in the amount of substantial guidance provided. Overall, training activities were not high priority items within LEAs nor was training offered by the SEA viewed as particularly useful to local staff.

During the first year of the study, LEAs encountered the issue of the borders of their responsibility to meet the seemingly open-ended mandate to provide SEARS to all eligible children. In 1979-80, the dimensions of this issue became clearer as LEAs experienced more questions surrounding related services. In some cases, the borders of fiscal and legal responsibility were clarified by court cases, OSE monitoring or changes in state policy. For example, OSE review of one state plan influenced the state to clarify the payment provisions for OT/PT services. Two SEAs stated clear policies that LEAs are not required to provide psychiatric services beyond diagnosis. The provision of mental health services (psychological or psychiatric counseling) is an issue that is still of direct concern to most LEAs in our study. Other areas in which LEAs are confronting the borders of their responsibility for provision of and payment for services are: (1) parochial and private schools, (2) institutionalized handicapped and delinquent children, (3) vocational rehabilitation and (4) extended year (summer) schooling.

## School Level Practices

We saw continued progress in implementing procedural requirements at the school level. Procedures were refined and streamlined and were more incorporated as routine practices. Rather than being viewed as new, time consuming tasks, most administrative procedures (the IEP process in particular) were a more generally accepted part of the job and viewed as less difficult to perform in a majority of the sites.

Techniques were also tried that were designed to increase the appropriateness of referrals. In particular, we found an increase in perferral intervention, such as specialists working in the classroom and trial interventions prior to determining if formal referral is needed. Although the trend toward preferral screening and intervention predates PL 94-142, its provisions support the trend and, according to professional staffs in sites with these strategies, these strategies serve to increase the appropriateness of referrals. The trend toward multidisciplinary assessments and individualized evaluation practices also continued this year, sometimes in response to the external pressure of court cases.

However, in determining children's services on the basis of individual needs, the professional staffs were still constrained by what services were currently available. This remained true even though the continuum of alternative placement settings was extended in some LEAs (with the mildly handicapped having the greatest number of options). And, in spite of the best intentions of service delivery staff, the IEP process rarely included consideration of services not already offered or settings that were not in use. Finally, throughout the process of determining a placement, little change was evident in the involvement of parents. Their participation remained most superficial and pro forma rather than substantive.

## Conclusions

On the basis of the data collected during the second year in 17 of the original 22 sites, we conclude that LEAs are continuing to make some progress in implementing the law. Progress is continuing at the level of incorporating new procedures into daily practice which in turn allows professionals to concern themselves with whether the procedures are accomplishing the purpose intended. Moreover, the more procedures become routinized, the more time and energy remain for delivery of services. However, progress toward full implementation of the law--in the sense of its intent to have an individualized, child-driven system--is constrained by the local service delivery system which in turn is constrained by the three problem areas described last year.

The first of these problems is the inadequacy of available resources: to the extent that services are limited relative to the demand for them, the system cannot provide the range of options necessary to allow services to be tailored to meet each child's unique needs. The second is information and skills: to the extent that staff continue to suffer from inadequate training (particularly regular teachers), realizing the spirit of the law will be problemmatic. The third problem area is that of the borders of responsibility, particularly between schools and other service delivery agencies. Until SEAs are able to resolve this issue, LEAs will suffer the consequences of vague boundaries and uncertainties about the limitations of their responsibility.

In the face of these problems, however, there are some positive signs. LEAs are becoming more aware of the dimensions of the constraints under which they must operate and the extent to which they have control over them. As the dimensions become clearer, LEAs are better able to work out solutions with what they have. As the system level findings reflect, LEAs are trying to develop more efficient and accurate procedures for getting children into special education at the referred and evaluation stages of the process, as well as trying to increase the capacity of the system by further expanding special education and related services.

Last year we concluded that local staff needed assistance from federal staff in clarifying their borders of responsibility, coordinating with other agencies, and improving the substance and delivery of inservice training. We also suggested that assistance designed to enhance local capacity be emphasized by federal administrators, rather than traditional monitoring for procedural compliance. On the basis of the second year findings, our conclusions are similar with a slightly different emphasis. Clearly, federal administrators also have limits on the resources upon which they can draw in monitoring and providing assistance. We also recognize that compliance monitoring is an essential and indispensible tool for the OSE. In this context we conclude that OSE consider focusing its compliance monitoring--that is, to use monitoring as a conscious strategy to focus attention on those aspects of the system that are working least well and to provide assistance that can help LEA practices to become more consistent with policy and procedures associated with PL 94-142.

OSE might also provide specific technical assistance through encouraging such concepts as boundary crossers and sharing creative solutions to problems. Showing how the boundary crosser role can provide one-to-one training is one example of how assistance might be provided in the murky area of inservice training. Finally, we infer from our local level findings that states need assistance in identifying and solving the problems associated with coordinating services across agencies in order to better meet the need for related services.

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# Appendix A

# CONCEPTUAL FRAMEWORK

**Appendix A is pages 9-21 of Local Implementation of PL 94-142: First Year Report of a Longitudinal Study, Marian S. Stearns, David Greene, and Jane L. David.**

## Appendix A

## CONCEPTUAL FRAMEWORK

### Overview

Public Law 94-142 is a federal mandate to change the way state and local school systems operate in providing services to handicapped children. The primary purpose of our study is to inform BEH and Congress about whether special education at the local level is changing in the way the law intended and, to the extent possible, to explain why or why not. We view local implementation of PL 94-142 as a process of mutual adaptation between the requirements of the law and the realities of local school systems (cf. Berman and McLaughlin, 1978). The requirements of the law dictate changes that local school systems must undergo, but the degree of these changes and the forms they may take are constrained by the organizational and financial structure of the schools and the political and social idiosyncracies of each local community.

The basic orientation and focus of the study are provided by our conceptual framework. In making explicit our point of view, it plays many roles in the actual conduct of the study (see Appendix B). The conceptual framework also allows the reader to judge the extent to which he or she shares our point of view. Its two major components are an analysis of the goals of local implementation and a model of the context in which local implementation occurs. The first component provides the study with a benchmark against which to assess progress toward full implementation. The second component serves to define the domain within which we expect to find most of the useful (i.e., policy-relevant) explanations for why local implementation is proceeding one way rather than another.

### Goals of Local Implementation

The first major component of our conceptual framework is an analysis of the goals of local implementation of PL 94-142. It was derived from a careful scrutiny of the pertinent sections of the law, including both legislative language and history and the applicable federal rules and regulations. As the law and regulations are written, the logical and practical relationships among the various requirements and goals are not always easy to discern. Hence, we needed to provide our study with an explicit description of the most important of these relationships.

## Overriding Goals and Broad Implications

PL 94-142 includes two overriding goals that pertain to LEAs: the provision of a free appropriate public education (FAPE) to all handicapped children and the protection of the rights of handicapped children and their parents. From the perspective we adopted in this study, FAPE is a broad, overarching concept that subsumes the "procedural safeguards" concerned with placement in the least restrictive environment and with nondiscriminatory evaluation. In this view due process procedures (e.g., for parental notification and informed consent, and for due process hearings to resolve disputes between parents and the schools) serve the specific function of protecting the right of all handicapped children to FAPE.*

We presume that few, if any, LEAs presently operate so as to achieve the goal of providing FAPE to all handicapped children. Implementing the law, therefore, requires LEAs to bring about change in prevailing practices. By comparing the current operations of most local special education systems with the ideal system implicitly described in the law, we derived two fundamental action implications, or implementation goals, that LEAs should strive for:

- Increasing the scope and comprehensiveness of special education services.
- Changing current procedures so they result in individually appropriate services for children.

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* Requirements for placement in the least restrictive environment and for nondiscriminatory evaluation are classified differently in the regulations than in the law itself. In the regulations, the procedures concerned with placement in the least restrictive environment and with nondiscriminatory evaluation are classified, along with due process procedures, under the rubric "Procedural Safeguards" (subpart E). In the law itself, however, the section titled "Procedural Safeguards" (Section 615) covers due process procedures exclusively. In light of this classification difference between the law and the regulations, we felt free to decide for ourselves which one best suited our purposes. We reasoned that the key distinction is between that which is being protected (i.e., the FAPE rights that are being guaranteed by the law) and that which is doing the protecting (i.e., the due process procedures designed to back up the guarantee). Although evaluation procedures and placement procedures logically may be construed as belonging in either category, we opted to include them as integral components of the FAPE goal.

The first of these implementation goals requires LEAs to reach out and serve all children in need of special education services (i.e., to eliminate inappropriate exclusion from the system). It also encompasses an increase in the range and flexibility of services available to eligible children. This has merit in its own right and is based on the presumption that a wide, flexible range of services facilitates movement toward less restrictive placements. In short, LEAs must identify and serve all eligible children.

The second implementation goal requires changing traditional practices in specific and fundamental ways; this amounts to a paradigm shift in how schools decide what services each child receives. Traditionally, special education practices have rested on classification: a child is classified as having one or more handicapping conditions that then determine what services are to be delivered, by whom, and where. The intent of PL 94-142 is to alter this system fundamentally by shifting the focus of special education from categories of disabilities to individual children's needs. The law now requires that a child's unique needs be identified and that services appropriate to these needs be provided. Instead of fitting children to available programs, schools are now required to design an individually appropriate program for each child. The procedures specified to accomplish this goal necessitate basic, structural changes in how educational programming decisions are made. These basic, structural changes must be one of the fundamental implementation goals for LEAs.

### The FAPE Schema

After visiting all of our sites during the planning phase of the study, it became apparent that, with rare exceptions, personnel attracted to special education are dedicated to providing an appropriate education for all handicapped children. It was also apparent, however, that individuals working in these 22 diverse LEAs met with greatly varying degrees of success in attaining the ideals of PL 94-142. Although it is always possible for exceptional individuals to achieve their own, different purposes in spite of a system that discourages them, it is far more common for the structure of an organization to shape and direct individuals' actions. Therefore, we decided it was most useful to study the degree to which goals were met in terms of how local special education systems operate, rather than in terms of the behavior of individuals or the degree of their compliance with specific provisions of the law.*

Figure 1 is a schematic representation of what the law says about how an ideal special education system should operate under full implementation of PL 94-142. The schema omits the due process procedures, not because they are any less important than the FAPE provisions, but simply because, conceptually and graphically, it is unwieldy to depict both on the same diagram. Parents who have a complaint may invoke due process procedures with respect to virtually any matter shown in the FAPE schema. Thus the protection afforded by the due process requirements is intended to permeate the entire system rather than be localized anywhere that might be usefully depicted in the schema.

The FAPE schema explicitly represents the relationships among the mechanisms, values, and goals in PL 94-142 that characterize an ideal local special education system. By this we mean a school system that is set up to achieve the goal of providing FAPE to all handicapped children in its jurisdiction, and in which due process procedures are functioning effectively. Thus, the FAPE schema serves our study as a working definition of the intent of the law. The remainder of this section describes the elements of the FAPE schema in some detail, thereby introducing the reader to most of the specific requirements of the law with which our study was concerned.

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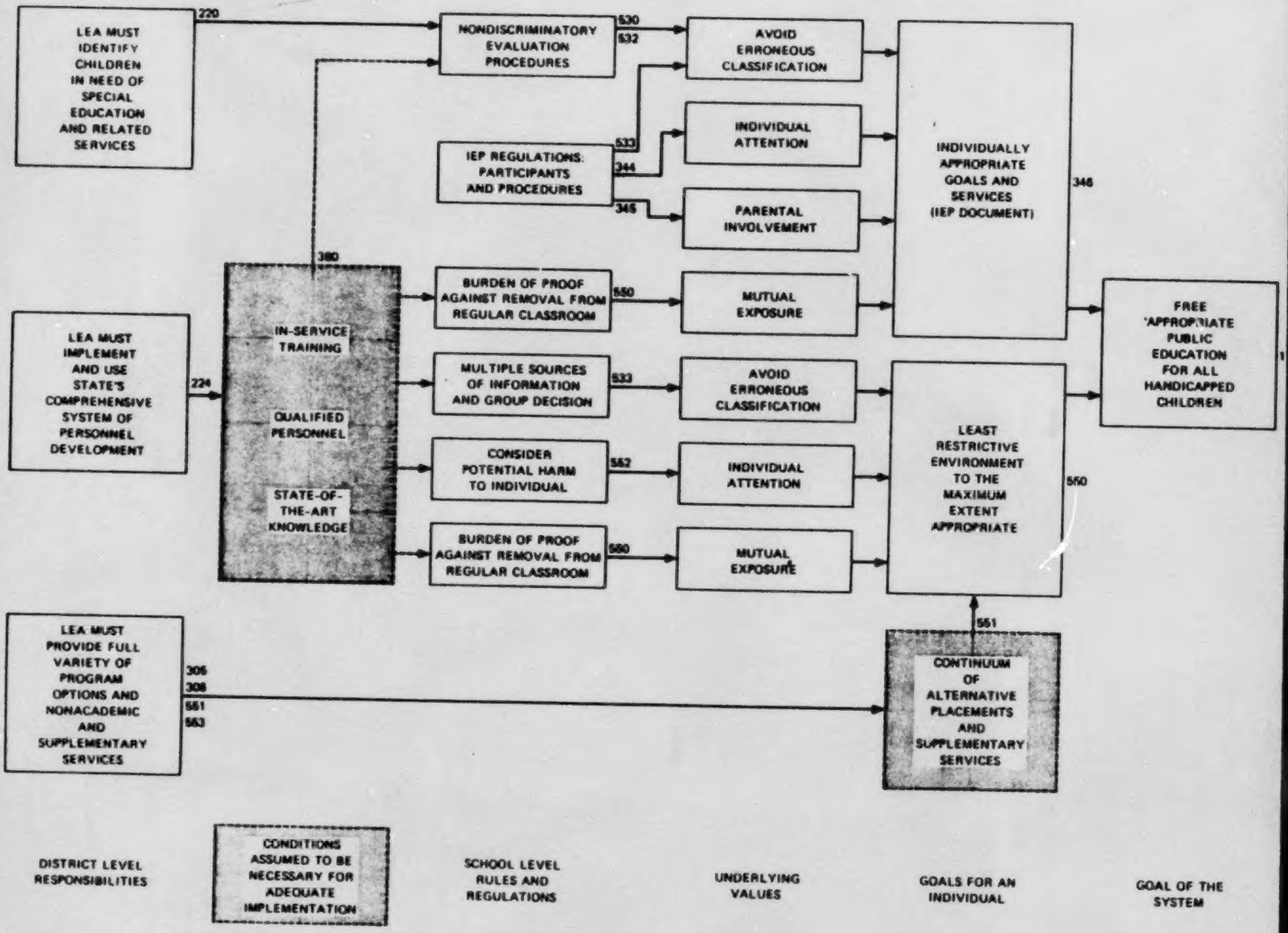
* The related decision, to conceptualize the spirit of the law in terms of a special education system operating in a manner compatible with the law's intent, effectively eliminated our need to address a host of questions dealing with individual motivation and blame. Thus, we were able to focus our attention where it was most likely to lead to policy-relevant observations: on incentives and disincentives, coping strategies, de facto priorities, and the practical difficulties of achieving the law's intent in organizations that were set up to operate differently.


LEA MUST IDENTIFY CHILDREN IN NEED OF SPECIAL EDUCATION AND RELATED SERVICES
220
NONDISCRIMINATORY EVALUATION PROCEDURES
530
532
AVOID ERRONEOUS CLASSIFICATION
IEP REGULATIONS: PARTICIPANTS AND PROCEDURES
533
344
345
INDIVIDUAL ATTENTION
PARENTAL INVOLVEMENT
INDIVIDUALLY APPROPRIATE GOALS AND SERVICES (IEP DOCUMENT)
346
LEA MUST IMPLEMENT AND USE STATE'S COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT
224
380
IN-SERVICE TRAINING
QUALIFIED PERSONNEL
STATE-OF-THE-ART KNOWLEDGE
BURDEN OF PROOF AGAINST REMOVAL FROM REGULAR CLASSROOM
550
MUTUAL EXPOSURE
MULTIPLE SOURCES OF INFORMATION AND GROUP DECISION
533
AVOID ERRONEOUS CLASSIFICATION
CONSIDER POTENTIAL HARM TO INDIVIDUAL
552
INDIVIDUAL ATTENTION
BURDEN OF PROOF AGAINST REMOVAL FROM REGULAR CLASSROOM
550
MUTUAL EXPOSURE
LEAST RESTRICTIVE ENVIRONMENT TO THE MAXIMUM EXTENT APPROPRIATE
550
FREE APPROPRIATE PUBLIC EDUCATION FOR ALL HANDICAPPED CHILDREN
LEA MUST PROVIDE FULL VARIETY OF PROGRAM OPTIONS AND NONACADEMIC AND SUPPLEMENTARY SERVICES
305
306
551
553
551
CONTINUUM OF ALTERNATIVE PLACEMENTS AND SUPPLEMENTARY SERVICES
DISTRICT LEVEL RESPONSIBILITIES
CONDITIONS ASSUMED TO BE NECESSARY FOR ADEQUATE IMPLEMENTATION
SCHOOL LEVEL RULES AND REGULATIONS
UNDERLYING VALUES
GOALS FOR AN INDIVIDUAL
GOAL OF THE SYSTEM

NOTE: Numbers Near Boxes Refer to Regulations 121a.1 through 121a.754

FIGURE 1 STRUCTURE OF MECHANISMS, VALUES, AND GOALS IMPLICIT IN THE FEDERAL RULES AND REGULATIONS DESIGNED TO ACHIEVE THE FREE APPROPRIATE PUBLIC EDUCATION GOAL OF PL 94-142 AT THE LOCAL LEVEL

The ultimate goal of the system depicted in Figure 1 is to provide a free appropriate public education for all handicapped children. This requires that two complementary decisions be made about each handicapped child: What educational goals and services are individually appropriate for the particular child? and What is the least restrictive environment in which the child can be provided with the services appropriate to his/her needs?

Central to these decisions, and hence shown directly to their left in this schema, is a set of four basic values that can be inferred from a close reading of the legislative history of PL 94-142. Most crucial is the need for individual attention. Complementing this is the imperative of avoiding erroneous classification. Together, these two values constitute a fundamental shift in emphasis away from a system in which the assignment of a child to a category was the most significant event in the child's special education career. The third basic value is that of parental involvement. The final value derives from an awareness that both handicapped and nonhandicapped children benefit from the mutual exposure that "mainstreaming" provides.

Decisions about what is "appropriate" should result from treating the child individually, involving the child's parents, avoiding erroneous classification, and considering the benefits of mutual exposure. Decisions about what environment is least restrictive should result from a balancing act in which the "mainstreaming" goal of the law is reconciled with the child's best interest.

The law also includes specific requirements that should encourage the consideration of these basic values in the decision-making process. These requirements appear in the federal rules and regulations which are shown to the left of the boxes labeled "Underlying Values." In determining which services are most appropriate for the child, the key regulations concern IEP procedures, testing and evaluation procedures, and the need to justify removing a child from the regular classroom. To determine the least restrictive setting appropriate for the child, the salient regulations are those concerning multiple sources of information and multiple participants in decisionmaking, consideration of potential harm to the child and, again, the justification for removing a child from the regular class setting.

These requirements, and the values they promote, are considerations primarily dealt with by people at the school level (teachers, evaluators, principals) who work directly with the handicapped child. The role of the LEA administration in the law's implementation hierarchy is to provide the conditions necessary for school level personnel to carry out their functions as intended. These conditions are presented in the shaded boxes.

To choose a placement that is the least restrictive environment appropriate for the child, decisionmakers must have some range of placements available from which to select. Similarly, placement, and services, and to permit the decisionmaking and service delivery mechanisms to operate as intended, the LEA must provide qualified personnel, in-service training, and the dissemination of "state-of-the-art" knowledge. Thus, the LEA is required to identify all children in need of special education and related services so that their individual needs can be determined. The LEA is also required to implement and use the state's comprehensive system of personnel development. Finally, the LEA must provide a full variety of program options and nonacademic and supplemental services in order to ensure that there is a continuum of alternative placements and supplementary services.

The main advantage of the FAPE schema is that it shows the relationships among the literal and implied requirements of the law and its regulations. It is not intended to describe what actually happens in a school or district; instead, it describes the considerations that ought to influence the way school systems refer, evaluate, place and provide services for handicapped children. If current practices in LEAs do not reflect these considerations, then the law intends that such practices change.

## Context for Local Implementation

The second major component of our conceptual framework is a model of the context in which local implementation of PL 94-142 occurs. Because they are relevant to studying the implementation goals described in the preceding section, certain features and characteristics of public service bureaucracies in general and local special education systems in particular are described in this model. The law is designed to bring about some rather basic changes in how these systems operate; therefore, we have paid particular attention to the characteristics most likely to pose barriers to these changes.

### Special Education Systems

Most local special education systems share three organizational characteristics that are likely to play a significant role in the implementation process: specialization of functions, division along the lines of different disabilities, and separation between the special and regular education systems. Although the structure of special education systems does differ from place to place, particularly as a function of the size of the administrative unit, these three characteristics are remarkably uniform.

Every special education system performs the same basic functions in the same basic sequence: students are identified and referred, evaluated, placed, and provided with services. In all but the smallest districts, different personnel are involved at different stages in this series of functions. Thus, to implement change (e.g., breaking down the historic tendency to provide services solely on the basis of a child's classification), the effort must be coordinated so that each person in the process is working toward that goal. In a small district, this effort may amount to little more than the psychologist who is "in charge" of special education informally communicating a new concept to the appropriate people. In larger LEAs, however, assessment functions and service delivery functions are often performed by personnel reporting to entirely separate organizational entities, neither of which has a direct line relationship to other school level personnel. Specialization of function is at its greatest here: before a new concept can have significant impact at the school level, coordination must have begun at the highest level of the administrative ladder and been passed down step by step.

The traditional division along the lines of different disabilities is an even more fundamental obstacle for PL 94-142 implementation. For historical reasons, the typical special education system of today is literally designed to channel handicapped children into one of a fixed number of programs; the larger the system, the larger the organizational structure of each separate program. In its most extreme form, each organizational unit charged with the delivery of services for a particular disability may even have its own referral form and its own IEP format. Within such a system, the best efforts of an EMR (educable mentally retarded) coordinator to teach regular teachers to use a referral form may actually work at cross purposes to the efforts of an LD (learning disabilities) coordinator doing the same job. Clearly, it is difficult to implement goals that emphasize the individual in a system so firmly rooted in classification by type of disability.

The organizational boundary between regular and special education also has deep historical roots. Although districts vary among themselves, special education has always been "different," either subordinate to the regular education system or autonomous, but with a much more limited budget or line authority. This separation typically exacerbates the stigma often associated with handicapped children (and those who work with them) and limits the ability of special education administrators to effect changes in policy. Given the emphasis in PL 94-142 on "mainstreaming" and other desiderata related to coordination between regular and special education, this organizational boundary merits attention.

## Public Service Bureaucracies

Local educational agencies share several features with other public service bureaucracies in which change has been studied. Police departments, welfare agencies, and school systems, among others, share certain characteristics that affect their capacity to change. One such feature is their public service orientation. Unlike organizations motivated primarily to maximize profits, public service bureaucracies are oriented toward satisfying their clients' needs for services; and client demand always expands to absorb all the services the system can deliver. A corollary is that problems literally never go away. Thus, a teacher could never meet all the individual needs of all her or his students, and at the same time meet the expectations of colleagues and superiors. Similarly, a district office can never meet all the legitimate needs of all the schools it serves and the agencies to which it is responsible. It follows that public service bureaucracies are chronically short of resources and are forced to compete for a limited share of them. Hence, their most basic need, adequate and reliable financial support, is dependent on politics and usually beyond their control.

This combination, unlimited demand and limited resources, means that individuals in public service bureaucracies inevitably develop coping strategies in order to make the necessary trade-offs. These strategies are not necessarily devised or implemented consciously, but they are inevitable. Examples abound: establishing priorities among programs to support or clients to be served, modifying goals, redefining or limiting clientele to be served, establishing routines to handle more individuals in less time, rationing services and, in general, exercising considerable discretion in day-to-day practice.

Finally, although mission-oriented, public service bureaucracies, as complex organizations, are also structured to maintain stability. Consisting of individuals whose role relationships are well defined, they do not change readily or by fiat. Hence, introducing fundamental change into a system like the public schools is bound to encounter some resistance and predictable problems.

## The "Bottom-Up" Perspective

On the basis of our experience, the Rand study of educational change by Berman and McLaughlin (1978), and the hindsight afforded us by Weatherley's (1979) detailed study of the implementation of Chapter 766 (the special education law) in Massachusetts, we know that local contextual factors play a major role in shaping the specific nature of the inevitable trade-offs and coping strategies of both individuals and organizations. Weatherley provides many illustrations, such as the predictable tension between identifying and serving a larger number of children and providing more individualized attention for those already in the system. A school principal, for example, must decide whether to spend numerous hours arranging an in-service training program to help all his regular teachers improve service to handicapped children in their classes or to spend those hours helping a teacher solve the problem of one child's needs for more appropriate services.

Along with the Weatherley and Lipsky (1977) "street level bureaucrat" model, we take the perspective that policy is being made (i.e., "implemented") by the behavior of the individual most closely in contact with the client. From this point of view, the higher federal and state administrative levels function as constraints on the range of options available to these local "policymakers." These constraints can be either facilitators or inhibitors when they are compared with some idealized standard of performance. For example, a state requirement that a psychologist use a particular battery of tests constitutes a constraint within which the psychologist has to operate in conducting an evaluation. If the requirement is consistent with the goals of PL 94-142, it facilitates progress toward implementation; if not, the requirement inhibits it. What this means is that individuals in public service bureaucracies are always being "squeezed" between constraints from above and demands from below. At any point on the administrative ladder there is always some level of the organization that is under pressure.

Our study of local implementation focuses on two levels of local special education systems: the administrative (district) level and the service delivery (school) level. In later sections of this report, we often use the term district to refer to various administrative level staffs; similarly, we refer to all service delivery personnel (e.g., psychological evaluator, resource teacher, principal) as school level. These two levels, with their respective contexts, are depicted in Figure 2.

The top half of the figure represents the administrative level. Assuming the administrative unit is a district office, the SEA at the top sends down regulations and money, monitors the district office, and provides technical assistance.* Immediately below are the schools, needing and demanding as much help from the district office as they can get. As an organization, the district office has certain attributes ("within-office factors") that may facilitate or inhibit its capacity to get things done. An unusually competent administrator can increase the capacity of this office to deal with its problems. If the administrator is the only district-wide special education person--as is the case in many small districts--then his or her capacity is the district office capability. In any case, we expect the office to be

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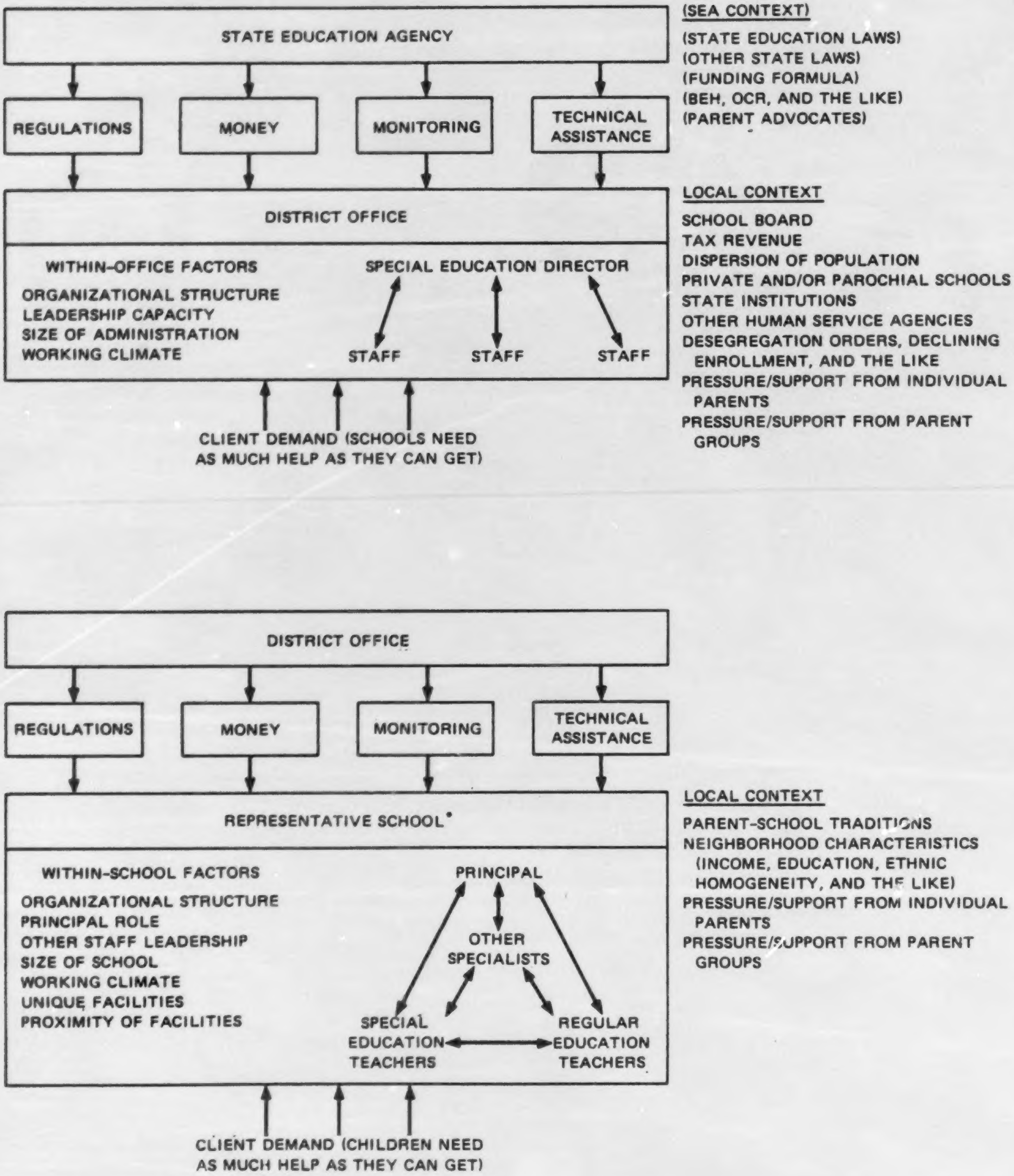
* The SEA itself is affected by its own context, of course, but we take this level into account in our study only to the extent that it has a direct effect at the LEA level.


STATE EDUCATION AGENCY
REGULATIONS
MONEY
MONITORING
TECHNICAL ASSISTANCE
(SEA CONTEXT)
(STATE EDUCATION LAWS)
(OTHER STATE LAWS)
(FUNDING FORMULA)
(BEH, OCR, AND THE LIKE)
(PARENT ADVOCATES)
DISTRICT OFFICE
WITHIN-OFFICE FACTORS
ORGANIZATIONAL STRUCTURE
LEADERSHIP CAPACITY
SIZE OF ADMINISTRATION
WORKING CLIMATE
SPECIAL EDUCATION DIRECTOR
STAFF
STAFF
STAFF
LOCAL CONTEXT
SCHOOL BOARD
TAX REVENUE
DISPERSION OF POPULATION
PRIVATE AND/OR PAROCHIAL SCHOOLS
STATE INSTITUTIONS
OTHER HUMAN SERVICE AGENCIES
DESEGREGATION ORDERS, DECLINING ENROLLMENT, AND THE LIKE
PRESSURE/SUPPORT FROM INDIVIDUAL PARENTS
PRESSURE/SUPPORT FROM PARENT GROUPS
CLIENT DEMAND (SCHOOLS NEED AS MUCH HELP AS THEY CAN GET)
DISTRICT OFFICE
REGULATIONS
MONEY
MONITORING
TECHNICAL ASSISTANCE
REPRESENTATIVE SCHOOL*
WITHIN-SCHOOL FACTORS
ORGANIZATIONAL STRUCTURE
PRINCIPAL ROLE
OTHER STAFF LEADERSHIP
SIZE OF SCHOOL
WORKING CLIMATE
UNIQUE FACILITIES
PROXIMITY OF FACILITIES
PRINCIPAL
OTHER SPECIALISTS
SPECIAL EDUCATION TEACHERS
REGULAR EDUCATION TEACHERS
LOCAL CONTEXT
PARENT-SCHOOL TRADITIONS
NEIGHBORHOOD CHARACTERISTICS (INCOME, EDUCATION, ETHNIC HOMOGENEITY, AND THE LIKE)
PRESSURE/SUPPORT FROM INDIVIDUAL PARENTS
PRESSURE/SUPPORT FROM PARENT GROUPS
CLIENT DEMAND (CHILDREN NEED AS MUCH HELP AS THEY CAN GET)

*Districts vary in heterogeneity among schools.

FIGURE 2 MODEL OF IMPLEMENTATION CONTEXT

figuratively "bursting its seams" because of pressures from top and bottom. According to our view of discretionary strategies, the specific, concrete, day-to-day details of the local context will determine where the figurative "bulges" occur. Thus, for example, a district with little or no organized parent pressure will find it relatively easy to place a low priority on the parental involvement requirements of the law. On the other hand, a district with organized and vocal parent pressure cannot long avoid responding to the parent involvement requirements, despite the heavy commitment in time and personnel that this entails.

The bottom half of Figure 2 depicts the service delivery (school) level. At the top is the district office, representing both the helpful and restrictive constraints that act on the local school. Below are the children to be served. The quality of school personnel and leadership (and other "within-school factors") varies, as it does at the district level. Given the view that schools operate at or near their capacity, when they are caught up in the demands-resources squeeze, their priorities depend a great deal on the specific, concrete, day-to-day details of the immediate context. For example, when only one opening for a special program exists, one would expect that those with the loudest demands will likely be given the most attention. Of course, these demands may come from frustrated teachers as well as persistent parents. What our model suggests is that the relative volume of demands is related to such ("local context") factors as the economic and educational level of parents and the traditional parent-school relations in the neighborhood where the school is located.

In summary, our model of the implementation context adopts a "bottom up" perspective on implementation. To study the progress of implementation, we focus our attention on the structural features of local special education systems and on a few basic "facts of life" common to all public service bureaucracies. In doing so, we share the point of view of the individuals who deal most directly with handicapped children and their parents. These "street level bureaucrats," be they teachers or school-level administrators, are the individuals whose responses to the requirements of PL 94-142 determine whether or not the intent of the law is met. Their responses, in turn, reflect the circumstances of their daily lives, of which the federal law is only one factor. Thus, to understand local implementation, we must understand how the requirements of the law do or do not mesh with preexisting local practice.

The "bottom up" perspective relegates PL 94-142 to just one factor among many influencing the practice of special education. While this is an accurate view because the progress of implementation is, in fact, multiply determined, it minimizes our ability to attribute any particular fact or event to the law, per se. Instead of attempting to isolate the effect of the law by itself, we study the effect of the law in combination with preexisting state and local contextual factors. Because any change that policymakers might institute in the law or regulations would also have to operate under this same combination of factors, this approach seems suited to provide policymakers with the most appropriate point of view.

This conceptual framework has continued to evolve over the first year of the study. As elaborated in the following chapter, our basic method of approach is iterative. For the conceptual framework, this approach means continued revision and refinement, such that, at any given point in our study, the current version incorporates and represents what we have learned about how best to think about local implementation of PL 94-142. In this sense, the conceptual framework is in itself an important product of our study.

# Appendix B

# METHOD OF APPROACH

**Appendix B is pages 23-50 of Local Implementation of PL 94-142: First Year Report of a Longitudinal Study, Marian S. Stearns, David Greene, and Jane L. David**

# Appendix B

# METHOD OF APPROACH

## Overview

In conceiving this study, OSE recognized the importance of delving into the underlying dynamics of local implementation. To best use its resources for this purpose, OSE's request for a longitudinal study specified a multiple case study design.

This design has obvious advantages for leading to policy-relevant insights. The open-ended, intensive style of case study research is ideally suited to investigating complex processes and discovering unexpected relationships that could elude a more structured, survey-type approach. Moreover, the main weakness of a case study--that it provides depth at the expense of breadth--is obviated when the results of many similar case studies can be compared and contrasted with each other. Nevertheless, all designs have their pitfalls; hence, to maximize the validity and generalizability of our findings, we infused our methods with precautions against the major pitfalls we could anticipate.

We knew that we could generalize relationships from our sample to a larger population only if the sample included a wide range of variation on important explanatory factors.* Thus, in selecting our sample, we designed procedures to ensure that our 22 sites varied considerably on the factors then deemed most likely to explain differences in local implementation. After three visits to each site, our staff were able to develop a more informed list of factors on which it was essential there be variation in order to protect against invalid inferences. We were then able to confirm that our sample selection procedures had indeed accomplished this purpose.

In conducting the individual case studies, we designed procedures to ensure that we obtained multiple perspectives, asked relevant questions, and avoided premature closure. These procedures minimized the danger that our site-by-site findings would be trivial or unnecessarily contaminated by respondent or interviewer bias. Also, in performing cross-site analyses, we adopted an inductive logic of disconfirming or qualifying propositions rather than a deductive logic of testing hypotheses. This approach, among its other virtues, enabled us to avoid the loss of interesting and important findings that appeared in only a few sites or in different forms in different sites.

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* We discuss the subject of generalizability at greater length on page B-8 ("Variation on Important Factors").

Finally, our methods included the validating step of peer and practitioner review of our findings. By circulating our draft report among a score of critics with a wide variety of perspectives, we assured ourselves that our inbred limitations had not produced a phantom picture of reality. Ultimately, of course, any longitudinal study also benefits from the opportunity to make improvements over time on the basis of continuing feedback. The rest of this Overview section introduces two orienting concepts that illustrate how this works in our study.

## Cycles of Data Collection and Analysis

The iterative, cyclical nature of our study is illustrated in Figure 3. Each year of the longitudinal study includes two cycles of data collection and analysis. Each cycle begins with the current conceptual framework, which represents our current understanding of how best to think about local implementation of PL 94-142. In the fall of 1978 in particular we had the benefit, not only of our prior knowledge and experience, but also of what we had learned from site visits conducted during the planning phase of this study. As described in more detail in subsequent sections, the conceptual framework provides the starting point for generating a working list of topics to pursue on site (the "debriefing format") and criteria for site visitors to use in selecting respondents with whom to schedule interviews. It is also the source of more general concepts that provide some of the content of site visitor training. After this training, the cycle continues with the site visits themselves, individual site analyses, and cross-site analyses. As illustrated in Figure 3, decisions made during earlier stages in the cycle may be modified as dictated by experience during later stages. Finally, the results of data analyses feedback into the conceptual framework, where the next cycle will begin.

There are two different ways in which our knowledge grows with each cycle of the study. First, we describe changes in the status of special education in our sites that take place over time on specific topics of interest (e.g., uses of IEPs or the range of currently available services). To the extent that the same topics remain of interest over time, these descriptions of changes in status are analogous to traditional longitudinal data.

Second, with each cycle of the study we increase our ability to judge what feature of each topic is most important to pursue

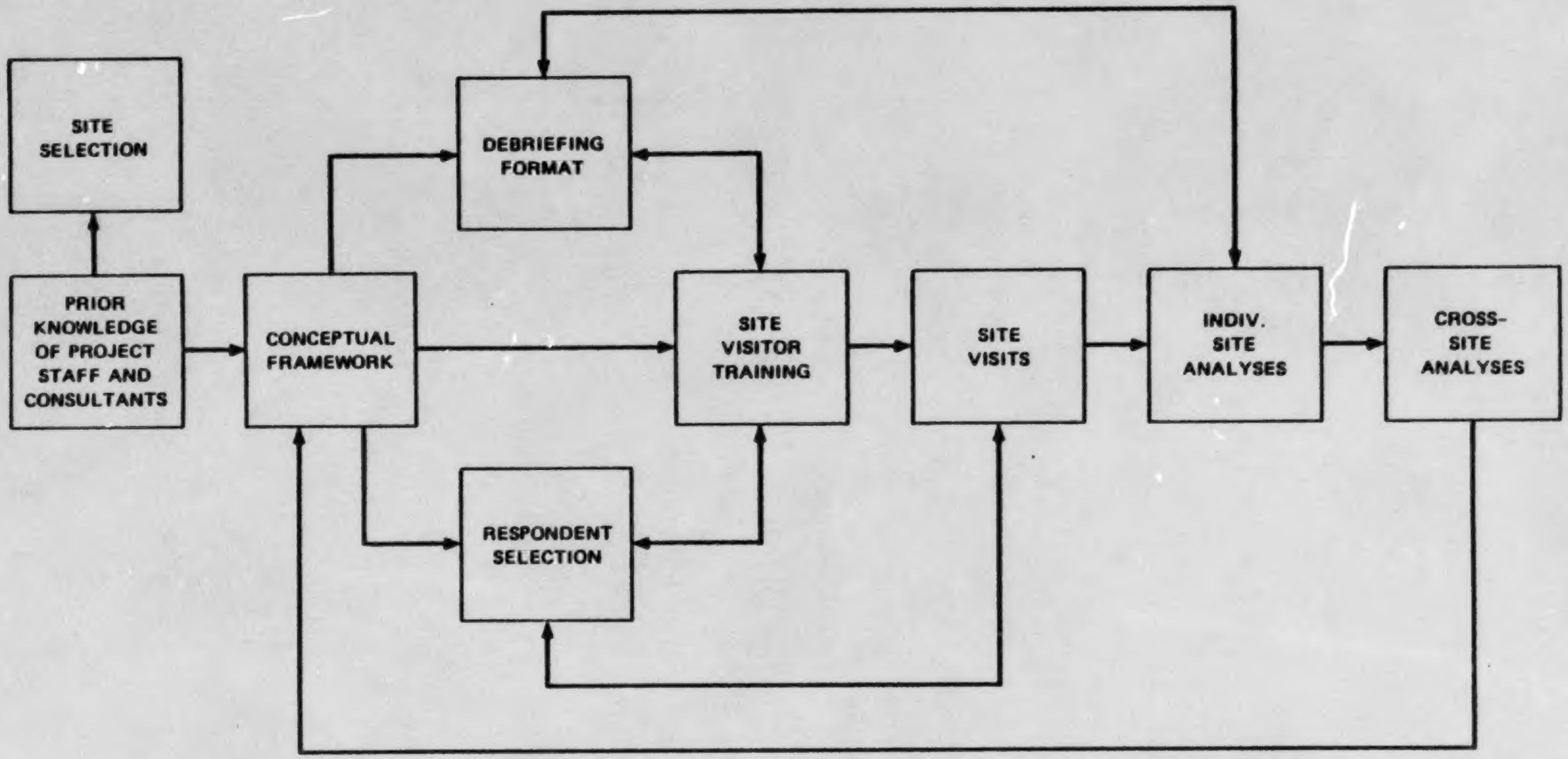
SITE SELECTION
PRIOR KNOWLEDGE OF PROJECT STAFF AND CONSULTANTS
DEBRIEFING FORMAT
CONCEPTUAL FRAMEWORK
RESPONDENT SELECTION
SITE VISITOR TRAINING
SITE VISITS
INDIV. SITE ANALYSES
CROSS-SITE ANALYSES

FIGURE 3 OVERVIEW OF METHOD OF APPROACH

effort must be coordinated so that each person in the process is working toward that goal. In a small district, this effort may amount to little more than the psychologist who is "in charge" of special education informally communicating a new concept to the appropriate people. In larger LEAs, however, assessment functions and service delivery functions are often performed by personnel reporting to entirely separate organizational entities, neither of which has a direct line relationship to other school level personnel. Specialization of function is at its greatest here: before a new concept can have significant impact at the school level, coordination must have begun at the highest level of the administrative ladder and been passed down step by step.

The traditional division along the lines of different disabilities is an even more fundamental obstacle for PL 94-142 implementation. For historical reasons, the typical special education system of today is literally designed to channel handicapped children into one of a fixed number of programs; the larger the system, the larger the organizational structure of each separate program. In its most extreme form, each organizational unit charged with the delivery of services for a particular disability may even have its own referral form and its own IEP format. Within such a system, the best efforts of an EMR (educable mentally retarded) coordinator to teach regular teachers to use a referral form may actually work at cross purposes to the efforts of an LD (learning disabilities)* coordinator doing the same job. Clearly, it is difficult to implement goals that emphasize the individual in a system so firmly rooted in classification by type of disability.

The organizational boundary between regular and special education also has deep historical roots. Although districts vary among themselves, special education has always been "different," either subordinate to the regular education system or autonomous, but with a much more limited budget or line authority. This separation typically exacerbates the stigma often associated with handicapped children (and those who work with them) and limits the ability of special education administrators to effect changes in policy. Given the emphasis in PL 94-142 on "mainstreaming" and other desiderata related to coordination between regular and special education, this organizational boundary merits attention.

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* Children with specific learning disabilities (SLD) are included as handicapped under PL 94-142. Because the abbreviation LD is more commonly used in practice, we use it, rather than SLD, throughout the rest of this report.

The initial selection of sites is the only stage of the study that does not reflect its iterative nature, because the sample (or a portion of it) is kept constant for longitudinal comparisons (Figure 3). The following section describes the method by which we selected our sample and provides evidence of the variation within the sample on important explanatory factors. Subsequent sections describe our data collection and analysis procedures.

## Sample Selection

The goal of sample selection was to choose a number of sites small enough to study intensively and yet varied enough to support generalizations to a larger population. To accomplish the former, we limited the number of sites to 22. To accomplish the latter, we selected factors that we believed would be most likely to explain differences in local responses to PL 94-142 and that could be ascertained, at least grossly, in advance. We then devised procedures that would ensure maximum variation on these factors among the LEAs in our sample.

### Selecting States

The purpose of selecting states was to maximize the likelihood of obtaining relevant variations among the LEAs in the resulting sample. To ensure this variation, we began by selecting states that represented the continuum on the match between existing state special education laws and PL 94-142. We presumed that the extent to which states had enacted requirements similar to PL 94-142 before its passage would strongly influence the responses of their LEAs to the new requirements. Hence, we used state level measures of policies similar to PL 94-142 as a proxy for the extent to which LEAs in the state would have had a head start in implementing the new law.

To measure the match between state laws and policies and PL 94-142, we first used information from the review of state laws and regulations conducted by the National Association of State Directors of Special Education (NASDSE). In keeping with the philosophy of our study, we also interviewed persons with firsthand knowledge of state practices. These included NASDSE staff and BEH state plan officers. This enabled us to sort states into three categories--low, middle and high--according to how closely their state policies matched the major provisions of PL 94-142 (individualized education programs, parent involvement, a variety of placement settings, and allowances for least restrictive placements).

To select the states in which LEAs would be chosen, we held a conference in Washington, D.C., attended by SRI staff, OSE officials, and NASDSE staff. During the meeting we sought comments on the results of these classifications. At the suggestion of the participants, two other state level factors were added to our selection criteria: state funding formulas for special education and the state system of organization for special education. Based on these criteria and the comments of the conference participants, we chose nine states that represented substantial variation on the factors: California, Florida, Illinois, Mississippi, Oklahoma, Pennsylvania, Rhode Island, Tennessee, and Washington.

### Selecting LEAs

LEAs in these states were selected so as to maximize variation on local factors that we expected would influence responses to PL 94-142. We presumed that the availability and accessibility of resources would strongly affect local special education practices. We defined availability of resources as the amount of local funding, facilities, qualified staff, administrative leadership, and community involvement. We defined accessibility of resources in terms of geographic size and population dispersal. We also wanted to ensure variety on other potentially significant influences such as the presence of residential institutions, collaborative relationships with other districts, state-supported special schools, and separate buildings for special education.

To obtain information on these factors and nominations for LEAs to be included for study, we spoke with the state directors of special education and other state level personnel in all nine states. During these conversations we described both the purposes of the study and our definitions of the factors on which we wanted variation. The former was necessary in order to communicate that the success of the study rested on our ability to see problems as well as solutions; hence, we pointed out that the study would fail if only exemplary LEAs were nominated. Because the factors were essentially clusters of variables and not individually measurable, we also spent considerable time explaining what we meant by resources and the type of variation we were seeking. The nominations we received reflected our criteria and covered a range of districts from each of the nine states. From these recommendations, we chose two or three LEAs from each state, primarily to ensure variation across the entire group of them and on the basis of logistical concerns. This resulted in a sample of 22 LEAs (Figure 4).

### Variation on Important Factors

Before looking at the evidence that shows we achieved requisite variation in our sample, we should consider how this evidence is related to the generalizability of our findings. We are particularly concerned about the generalizability of the underlying reasons or explanations for local responses to PL 94-142 that we infer from the data in our sample. To be useful to policymakers, these explanations must be generalizable to a larger

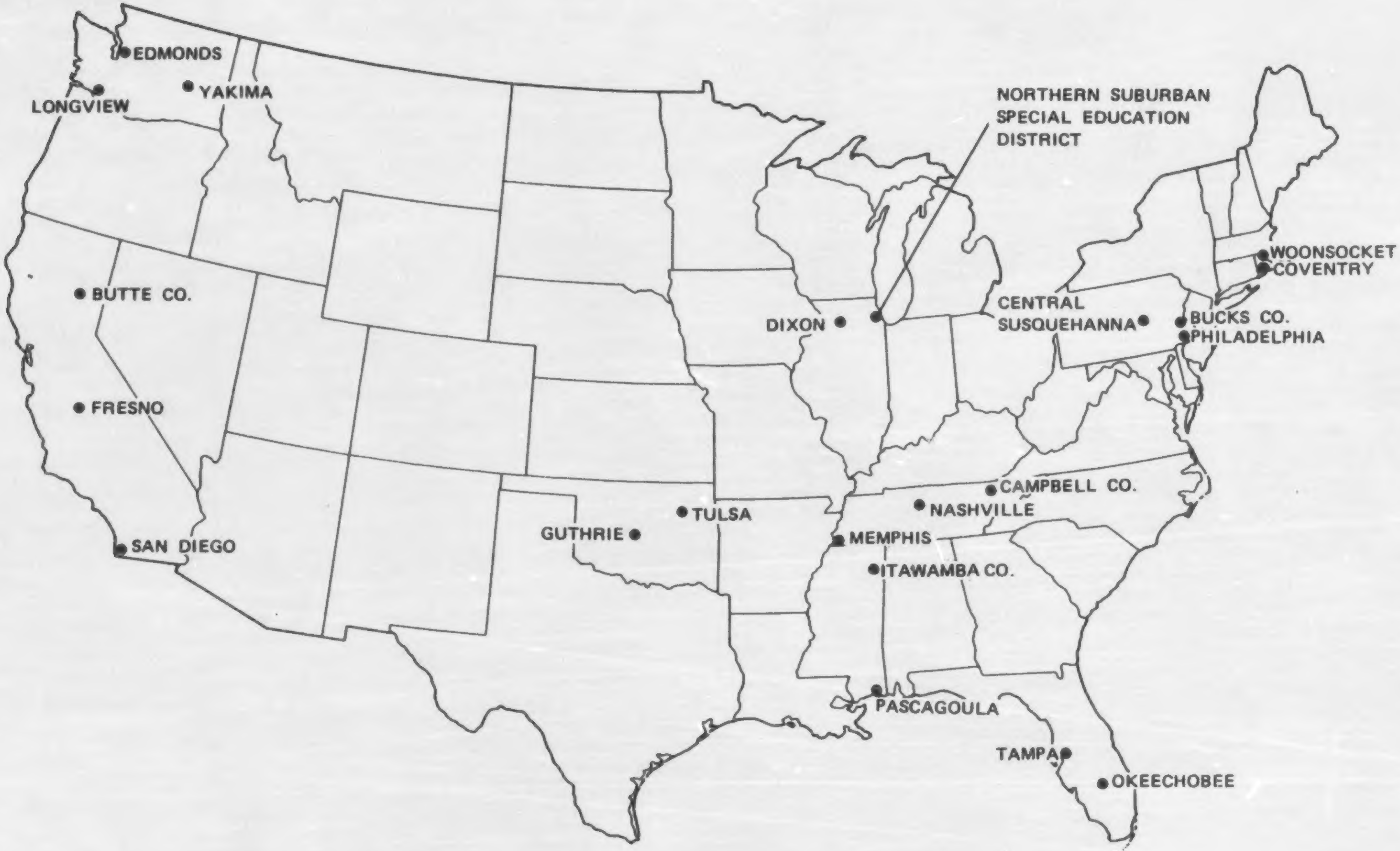
EDMONDS
LONGVIEW
YAKIMA
NORTHERN SUBURBAN SPECIAL EDUCATION DISTRICT
WOONSOCKET
COVENTRY
BUTTE CO.
DIXON
CENTRAL SUSQUEHANNA
BUCKS CO.
PHILADELPHIA
FRESNO
CAMPBELL CO.
NASHVILLE
TULSA
GUTHRIE
MEMPHIS
SAN DIEGO
ITAWAMBA CO.
PASCAGOULA
TAMPA
OKEECHOBEE

FIGURE 4 FIELD SITES FOR THE LONGITUDINAL IMPLEMENTATION STUDY OF PL 94-142.

population than the 22 LEAs we visited. Because the requirements for generalizability are an extension of the requirements for validity, we begin with a discussion of the latter.

A reason or explanation is valid only to the extent that (1) it is plausible in its own right and (2) we believe that all relevant alternatives have been adequately considered and rejected.* Thus, one cannot prove that an explanation is valid; one can only persuade by argument or by appeal to another's experience that both these criteria have been met. At a minimum, such persuasion requires that the explanation be derived from a sample containing the factors generally believed to be likely explanatory factors. To make a case for validity, one should maximize the variation on as many of these factors as possible. This is because the more a factor varies within a sample, the more reliably its relative importance can be judged. To be even more persuasive, it should be possible to argue that no reasonable candidate explanatory factor has been excluded from the sample.

The criteria for valid inference call attention to the relative importance and relative exhaustiveness of the explanatory factors included in the sample, not merely how much these factors vary. Including all the relevant explanatory factors is necessary to allow the possibility of valid inference; the higher the variation on these factors, the higher the likelihood that valid inference will be achieved in practice.**

An explanation is generalizable from a sample to a larger population only to the extent that (1) it meets the criteria for validity within the sample and (2) we believe that the explanation would appear equally valid if it were tested, by the same criteria, against the data in any other sample comparably drawn from the larger population.* Thus, the specific criterion for generalizability from a sample is the belief that all the important explanatory factors in the larger population are adequately represented in the sample. Again, the more variation there is on these factors, the more confidence we have that they adequately represent the larger population.

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* This is the crux of all inductive inference. Researchers vary in their abilities to think of relevant alternative explanations, to collect and use data skillfully to test them, and to persuade their audiences that they have done an adequate job. Similarly, the multiple audiences for and stakeholders in research efforts vary in both the sophistication and the neutrality with which they make judgments about the adequacy of these efforts. Hence, reasonable people sometimes disagree about whether a particular research finding meets the criteria for a valid explanation.

** For purposes of this discussion, we assume that the validity of inductive inference is not limited by inadequacies in the analysis of the data provided by the sample. (Our procedures for data analysis are described in a separate section later in this chapter.)

Assessing the adequacy of our sampling choices was a major goal of the preliminary site visits during the Spring 1978 planning phase of our study. Although the site selection factors themselves are not directly measurable (see "Selecting LEAs," above), interviews and documents collected on site provided numerous facts and figures about resource availability and accessibility. State laws and regulations also provided relevant information to confirm the expert advice we had accepted in the process of selecting states. When we used this kind of information to assess the variability in our sample, we were satisfied that it met any reasonable expectations.

After the Spring 1979 site visits, we were in a position to see whether differences in implementation were associated with differences in the kinds of factors we had used to select our sites. With a full year's formal data collection behind us, the staff held a series of meetings to reach some consensus on the set of factors to include in a "site factor matrix." The main criterion for including a factor in the matrix was the same as it had been for choosing the factors that provided the basis for sample selection: the belief that it exercises a significant influence on local PL 94-142 implementation. We also limited the set to the kinds of factors that could be stated and defined so as to apply, as least in principle, to all 22 LEAs.** The main difference was that this time our judgments were based on what we had each learned from interviewing respondents with multiple perspectives in several LEAs.

Tables 1 and 2 present these state and local level factors and their definitions. After a year's experience in the field, these are the 11 explanatory factors that we judged collectively to be most important in accounting for differences among LEAs in

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* In the case of statistical inference, this belief is justified within known limits to the extent that certain assumptions about the population are true and certain procedures for sample selection are followed.

** At individual sites other factors (e.g., local politics) were often, if not always, equally or even more important influences on PL 94-142 implementation. Moreover, the chosen factors so often act in combination with each other that their individual effect at an individual site may be essentially impossible to determine.

## TABLE 1

## STATE LEVEL FACTORS AFFECTING LOCAL PL 94-142 IMPLEMENTATION

| FACTORS AND HOW THEY WERE DEFINED | DISTRIBUTION OF STATES IN OUR SAMPLE | | |
|---|---|---|---|
| | + | Neither | - |
| TRADITION: State special education law as of 1977-1978; plus if progressive, facilitates; minus if regressive, inhibits. | 6 | 2 | 1 |
| FINANCIAL SUPPORT: As perceived by locals during 1978-1979; plus if abundant, praised; minus if meager, acute problem. | 2 | 6 | 1 |
| ADMINISTRATIVE LEADERSHIP: As perceived by locals; plus if helpful; minus if detrimental. | 2 | 2 | 5 |
| MONITORING: As perceived by locals; plus if helpful; minus if detrimental. | 1 | 7 | 1 |
| ELIGIBILITY CRITERIA: With regard to individualization of services; plus if reasonably flexible; minus if unreasonably rigid. | 1 | 7 | 1 |

## TABLE 2

## LOCAL LEVEL FACTORS AFFECTING LOCAL PL 94-142 IMPLEMENTATION

| FACTORS AND HOW THEY WERE DEFINED | DISTRIBUTION OF LEAS IN OUR SAMPLE | | |
|---|---|---|---|
| | + | Neither | - |
| TRADITION: Relative to general education, as of 1977-78; plus if good support in the past; minus if poor support in the past (even if getting better now). | 13 | 5 | 4 |
| RESOURCES: Relative wealth and political clout within the state; plus if facilitates implementation relative to other LEAs; minus if inhibits implementation relative to other LEAs. | 7 | 8 | 7 |
| ADMINISTRATIVE LEADERSHIP: Plus if facilitates relative to other LEAs; minus if inhibits relative to other LEAs within the state. | 13 | 7 | 2 |
| SIZE OF ADMINISTRATION: Of special education; plus if small or simple, minus if large or complex enough to require attention in its own right. | 9 | 5 | 8 |
| DISPERSION/COMMUNITY STRUCTURE: Plus if urban, industrialized, densely populated, many low-incidence handicapping conditions; minus if rural, not industrialized, sparsely populated, few low-incidence handicapping conditions. | 6* | 9** | 7 |
| PARENT PRESSURE: Plus if heavy pressure for services, high expectations relative to resources, parents are organized; minus if passivity, need to reach out, expectations are met by present services. | 3 | 8 | 11 |

*One also high dispersion.
**Includes three suburbs and one small town.

their implementation of PL 94-142. These factors are quite similar to, albeit more proximal and differentiated than, the factors on which our sites were originally selected. We invite our readers to compare this set of factors with their own experiences.

Tables 1 and 2 also provide the opportunity to look at the variation in our sample on these factors. A few comments may be helpful in interpreting the entries in the tables. The "neither" column was used for two different purposes: to indicate an "in between" point on the scale and to indicate that the scale could not be meaningfully applied to a given state or LEA. Because three of the five state-level criteria were defined from the LEA perspective, it was common for a state to be judged "neither" when different LEAs saw the same SEA from conflicting perspectives. This was particularly the case for monitoring, which should be no surprise to our readers. It also appears that our sample overrepresents progressive states and progressive LEAs or that we came to view more of our sites in these terms after we had visited them. Notwithstanding this tendency in the tables, the data reinforce our conviction that the sample meets the "bottom line" criterion for generalizability of explanations: no cell is empty.

Because the data reflect judgments that our respondents made in confidence, we do not disclose which states and LEAs belong in particular categories. Unfortunately, this constraint results in tables that present a very conservative picture of the variation in our sample. To convey more accurately the extent to which our 22 LEAs represent a variety of combinations of explanatory factors, we present the following capsule descriptions of each site's characteristics.

### California

- Butte County is a consortium of 15 school districts in a rural mountain area in northern California. The consortium serves 22,100 students of whom 1,600 are in special education. The consortium was formed to prepare to meet the full educational opportunity/free appropriate public education requirements of PL 94-142 and the California Master Plan for Special Education. Chico State University lies within the county and trains special education personnel.
- Fresno Unified School District is the sixth largest district in California, serving approximately 3,332 exceptional students. Two colleges within the county provide special education teacher preparation. The economy is largely dependent on agribusiness, with a large minority population. Although ranking low on income, the district ranks high on expenditures for instruction. A desegregation plan and the California

Master Plan for Special Education are being implemented simultaneously with PL 94-142.

- San Diego Unified School District is the 11th largest district in the United States, in a city with a large senior citizen population, a large naval base, and two large universities. The special education department is made up of a complex administrative structure that encompasses 5 divisions and 18 different subdepartments. The school district is implementing a court-ordered desegregation plan and has been accepted into the California Master Plan, while in addition adjusting to cutbacks from the passage of the Jarvis-Gann property tax reduction initiative.

## Florida

- Hillsborough County's public schools are consolidated into a single school district which is the 22nd largest in the United States, serving approximately 11,500 handicapped students. Tampa, the county seat, is the regional financial, service, and distribution center for Florida's west coast. A large minority population is present in the county, and there are two universities that provide trained special education personnel to the schools. LEAs in Florida exhibit a great deal of independence as do principals within LEAs through the adoption of a school-based management system.

- Okeechobee is a poor, rural county in southern Florida whose main industry is agriculture. There is a large Spanish-speaking, Indian, and migratory population within the county. Like all LEAs within Florida, the Okeechobee School District is a county system and serves a highly dispersed population of 4,300 students of whom slightly over 10% are in special education. Because of its rural location, access to and attraction of resources has been limited.

## Illinois

- Lee County Joint Agreement is a special education cooperative located in rural northcentral Illinois that was formed in 1967 when it was mandated that Illinois schools provide special education for all children, ages 3-21, by 1969. The joint agreement includes all of Lee County and two or three districts from surrounding counties, and serves 17% of the school-aged population in special education. One of the largest employers is the residential state mental health facility located in Dixon with an estimated 400 school-aged children to be served.

- Northern Suburban Special Education District (NSSED) is a joint agreement of 23 member school districts on Lake Michigan to the north of Chicago that is composed of a series of affluent, politically astute, suburban communities. NSSED, which has been in existence since 1960, serves approximately 5,000 handicapped children in a total school population of 47,000.

## Mississippi

- Itawamba is a rural county in northeastern Mississippi whose main industry is agriculture. The dispersed population of 3,700 students is served by 7 schools in the district. The special education program was instituted in 1973 and serves 181 students. The program is supplemented by close cooperation with the SEA and state-directed Area Learning Resource Center.
- Pascagoula Independent School District is located in Jackson County, one of the most affluent in Mississippi, due to an economy based on light and heavy industry. The population is diverse, including Indians and Vietnamese who have settled in the area and who are supportive of school programs. Two nearby universities provide the district with technical assistance as well as teaching personnel. The school district serves approximately 9,000 students of whom between 625 and 675 are in special education.

## Oklahoma

- Guthrie is a generally low-income, rural community located in central Oklahoma whose population is largely made up of migrant and retired individuals and small-factory workers. The Guthrie School District serves 2,700 to 3,000 students in grades K-12, of whom 222 are served by special education. Limited local funds have hindered the availability of resources and made the district largely dependent on state and federal support.
- Tulsa is the second largest city in Oklahoma; its major employers are the aerospace and aviation industries. The Tulsa School District serves approximately 60,000 children located in 4 counties covering almost 140 square miles. The parents and advocacy groups within the community are strong and active. Qualified staff are an accessible resource and there are two nearby state schools to serve the severely handicapped (Oklahoma law prohibits paying for services in private schools).

## Pennsylvania

- Bucks County Intermediate Unit consists of 13 school districts located in a suburban area north of Philadelphia. Intermediate units replaced the county school operations in the early 1970s and are responsible for the support services for all school districts under their jurisdiction. An estimated 12,000 exceptional children in Bucks County are served by public schools, a number of private schools, a private licensed facility, and a state school and hospital.

- Central Susquehanna Intermediate Unit (CSIU) encompasses 17 school districts within a 5-county rural region of central Pennsylvania. The CSIU provides approximately 68% of all programs and services to the region's 4,000 handicapped students and is responsible for the educational programs at 2 state institutions.

- Philadelphia School District is its own intermediate unit, organized into 8 sub-districts, and has a public school population of approximately 153,000 students of whom 20,000 are in special education. Of the state's 44 approved private schools for the handicapped, 33 are in the Philadelphia area and the parochial school system is almost as large as that of the public.

## Rhode Island

- Coventry is a middle-class community, considered to be a suburb of Providence, and covers a fairly large geographical area. Of its approximately 5,500 students, between 380 and 420 are identified as having some handicapping condition. Due to its proximity to Providence and the small size of the state, the district has access to a variety of state-supported and private facilities.

- Woonsocket is a manufacturing town whose population has a strong French background. The Woonsocket Public School District consists of approximately 9,700 students and serves about 900 handicapped children. The special education budget is largely subsidized by the state and, because the town is fairly near to the capital, it has access to a variety of state-supported and private facilities.

## Tennessee

- Campbell County is situated just south of the Kentucky border in northeast Tennessee and covers about 600 square miles of rural Appalachia. The area is the largest coal producing district in Tennessee and people living in the outlying areas of the county lead a very rural lifestyle.

The school district covers seven towns, and special education serves approximately 17% of the 7,000 school-aged children. Campbell County is part of a four-county cooperative that provides many general services, and the state provides technical assistance and compliance monitoring through regional offices.

- Memphis, noted as an educational and medical center, is a large urban area located in the southwest corner of Tennessee. Two large universities and a number of colleges provide the school district with trained personnel. The Memphis City School System serves 125,000 students in 126 schools, including 16,600 handicapped students. The private school population has increased since the institution of court-ordered busing.
- Nashville is the second largest city in Tennessee, the home of country music and the state's capital. Within the Nashville area there are several major colleges and universities that the school district uses as a source for staff development, program innovations, and personnel recruitment. Advocacy groups are very active and were instrumental in getting legislation, based on the Council for Exceptional Children model, enacted in the state. The Metropolitan Public Schools serve approximately 76,000 students, of whom about 11,000 or 14% are handicapped.

## Washington

- Edmonds School District is located in Snohomish County and is considered a suburb of Seattle. The major employers are Boeing Aircraft and the school district; the economic make-up of the district is diverse, ranging from upper to lower income families. Edmonds is the fourth largest school district in the state with a pupil enrollment of 23,500. Special education programs serve approximately 1,500 students and include a separate facility for the severely handicapped. Several universities in the Seattle area provide trained personnel to the school district.
- Longview, Washington, is located on the Columbia River. The sound economic base of the city has made the Longview school system the second wealthiest in the state of Washington. The total enrollment is 8,052, with special education pupils making up 241 of that number.
- Yakima is located in southcentral Washington in the fertile Yakima Valley whose economy is based on agriculture. The West Valley School District is one of three in Yakima proper. The district is small and rural, with a school population of 3,315 students that includes 230 students served by special education.

## Data Collection

During the 1978-79 school year, we collected data during two 2-4 day visits to each of our sites, one in the fall and one in the spring. Each visit was conducted by two members of our core staff. Site visitors spent most of their time conducting interviews and collecting forms and documents to supplement interview notes. (They also attended meetings and observed ongoing programs when these could be arranged.) Following each visit, the primary site visitor wrote a case study report. The rest of this section describes our data collection procedures more specifically.

### Debriefing

Each cycle of data collection begins with a set of decisions about what topics to pursue and in what depth to pursue them. To ensure that the data collection results in information that is comparable across sites for the cross-site analyses, we developed what we call a "debriefing" format.* It serves both as a guide for the site visitor in collecting data and as the actual format for writing up field notes after a site visit is completed. The debriefing format focuses the site visitor's attention on a common set of topics yet, depending upon the particular circumstances of each site, also allows the site visitor the freedom and flexibility to decide how and to what extent those topics are pursued.

The debriefing format is derived from the current conceptual framework (see Chapter II) and reflects the emphasis of the particular site visit. For example, during the 1978-79 school year the fall site visits focused on school level personnel; much of the debriefing format was therefore devoted to events that occur at the school level, such as referrals and IEP meetings. In contrast, the spring site visits focused on events at the district or IU office, relations with groups outside the school (such as parent advocacy organizations), and interagency coordination.

Before each site visit, a new debriefing format is developed by the core analysis staff.** It lists the topics to be covered during the site visit, is structured as an outline, and is written at a level sufficiently general to allow for differences among sites. For example,

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* To keep this report of tolerable length, we are not supplying examples of our materials in an appendix. We will be happy to supply them to interested colleagues upon request.

** Unlike what occurs in much case study research, the size of our staff permits some specialization of functions between site visitors (n=5) and those whose primary responsibilities are design and cross-site analysis (n=3).

> Describe the nature of the LEA's most satisfactory relationship with another public service agency. Include the reasons why it is "most satisfactory," whether there are formal as well as informal agreements, and whether there is state or higher level local support for the relationship.

The draft debriefing format is circulated among the site visitors to determine if all the topics are clear, whether they will be interpreted in the same way, and whether important ones have been omitted. At the same time, a draft of the criteria for respondent selection is circulated. Both of these drafts are then revised as necessary to reflect site visitors' reactions and concerns.

An expanded version of the debriefing format allows for one or more pages of writing space in response to each item. Upon returning from a site visit, it takes a site visitor from 1 to 3 weeks to prepare a complete debriefing. When complete, the debriefing is the recorded descriptive analysis/case study report of a given site for a given visit. All the debriefings for a given site are its case history.

### Site Visitor Training

Training site visitors has two primary purposes. First, it ensures that they have a shared understanding, along with the analysis staff, of the conceptual framework, the debriefing format, and the manner in which various topics are to be pursued on the upcoming visit.* This aspect of training is one way we attempt to maximize reliability. The second purpose is to teach the site visitors specific skills to maximize the validity of the data they collect (primarily from interviews).

For the data to be comparable across sites and across site visitors, it is essential that the site visitors view the study's purposes and conceptual grounding in the same way. For this to happen, the site visitors must be immersed in the development of the concepts on which the study is based and the ways in which these abstractions are translated into data collection procedures and topics. Immersion cannot occur in a one-shot training session; therefore, the training for this purpose is ongoing, as exemplified by site visitor involvement in the final versions of the debriefing format and criteria for respondent selection. This aspect of training has both formal and informal components. The site visitors are involved in each phase of the study, from meetings to explain iterations in the conceptual framework to participation in all stages of data analysis. The fact that the same visitors remain with the study from year to year means that the impact of this immersion/training is cumulative.

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* The site visitors' backgrounds are varied, each having begun this study with experience or training in field-based educational research, teaching, and/or special education.

Training for the purpose of imparting specific data collection skills, although grounded in the shared understanding described above, is more formal in its procedures. Validity of the data must be assured; to accomplish this goal, we rely on fairly traditional methods such as "cross-examination" and triangulation. Through simulation exercises with volunteer parents and school personnel from districts in the vicinity of SRI, for example, site visitors learn to probe respondents, asking the same question in different ways, and pursuing topics both directly and indirectly to test relevance and consistency. They are also trained to draw inferences systematically on the basis of multiple sources of data. This so-called "triangulating" among respondents and other evidence sources is an important skill in obtaining an accurate rendition of a particular event--where accuracy is defined as "the common understanding of an event that avoids the biases of a single respondent." Finally, the site visitor training emphasizes that, when appropriate, they verify their perceptions immediately by paraphrasing a respondent's answer and requesting the respondent to acknowledge mutual understanding. Thus, site visitors are trained to be concerned with establishing validity through "structural corroboration" (Guba, 1978), ". . . a process of gathering data or information and using it to establish links that eventually create a whole that is supported by the bits of evidence that constitute the whole. Evidence is structurally corroborative when pieces of evidence validate each other" (Eisner, 1979, p. 215).

In addition to these two purposes, formal training sessions provide an opportunity for the staff to read and discuss relevant literature and to strengthen their knowledge of the law and regulations. These sessions occur in the last few days before the wave of site visits is scheduled to begin. Meanwhile, to prepare for their upcoming trips, the site visitors have been engaged in other activities besides this training.

## Selecting Respondents

It remains for the site visitor, in preparation for each site visit, to perform the complex task of selecting the actual respondents and setting up the interview schedule with his or her site liaison. As described earlier, the topics to be covered during a given site visit are specified in the debriefing format. Also derived from the conceptual framework are criteria for selecting respondents to be interviewed on the specified topics.

These criteria may be in the nature of a role description (e.g., "a director of special education"), or they may specify something about the kind of information needed (e.g., "a parent who can present a balanced point of view"). The site visitor's decisions are based on his or her unique combination of knowledge of the topics to be pursued and the particulars of the site known from previous visits. Within the common guidelines, the site visitor determines which types of respondents are needed and makes specific choices based on the quality of information received from particular individuals in the past and on accessibility and other logistical concerns.

Where choices of respondents require sampling decisions to be made (e.g., among districts in an intermediate unit or among schools in a district), our approach is modeled after the logic and spirit of our strategy for selecting the original sample of sites. In making these decisions as well as less subtle ones, the ability of the site visitor to contact knowledgeable individuals on site by telephone in advance of the visit is crucial to making the best choices. Thus, an important aspect of the site visitor's role is to maintain good relationships with key contacts in the LEA. To underscore how important we view these relationships, we have established a policy of sending a project newsletter to our sites in advance of each visit.

After an interview schedule has been developed, the site visitor continues preparation for the visit by specifically tailoring the debriefing format to the particulars of the given site. This preparation involves reviewing past debriefings to determine what further information will now be sought from particular respondents. The results of these various preparatory activities is an open-ended interview guideline, annotated to prompt the site visitor not to overlook certain questions.

### "Rotating" Site Visitor

Each visit itself is conducted by a two-person team. The (permanent) site visitor is accompanied by a member of the analysis staff (or perhaps another regular site visitor) in the role of "rotating" site visitor. The advantages of having the same person return for every visit are obvious: familiarity with people on site greatly increases trust and gives the site visitor greater access to more accurate and detailed information. The advantages of our rotating site visitor strategy merit some explanation.

From the case study point of view, the rotating site visitor contributes to improving both reliability and validity. As a classic reliability check, the rotating site visitor provides partially independent confirmation of the permanent site visitor's perceptions and interpretations. In addition, whatever biases the permanent site visitor may bring as a result of his or her continuing relationship with people on site are at least different from those of the rotating site visitor. Moreover, the rotating site visitor has knowledge of other sites unfamiliar to the permanent site visitor and, by providing a new perspective during the visit, may be able to prompt the permanent site visitor to generate fresh hypotheses. This directly contributes to the validity of our findings. Finally, a two-person team can divide the tasks of asking questions and taking notes between themselves in order to do both as well as possible. This produces comprehensive field notes with many direct quotations.

From the cross-site analysis point of view, it is crucial that members of the analysis staff be able to visit as many different sites as possible. A rotating site visitor can interpret events at one site as instances of more general patterns. Conversely, what appears to be one kind of problem when interpreted in the context of one site may appear entirely different when contrasted with another site. (For example, the difference that an excellent administrator can make may be overlooked by someone who has never seen one in operation.) This subject is discussed at greater length in the following section.

Apart from what we have described to this point, what actually happens on site visits varies as much as the sites themselves. Last year, the visits were usually 2 or 3 days in duration, but ranged from 1 to 4, depending on the site visitors' judgments of the time necessary to do their jobs adequately. In the fall, when we focused on school level personnel, we interviewed as few as 10 and as many as 22 repondents per visit. Spring visits typically involved fewer respondents. Most visits begin with a courtesy call to the administrator who is the key site contact. In spite of best efforts to plan a schedule of interviews, it is not unusual for site visitors to have to do a lot of reshuffling once they arrive.

The one commonality worth mentioning is a conscious effort to schedule interviews in a "bottom-up" sequence. For example, where feasible, site visitors interview teachers before interviewing principals, principals before district administrators, and district administrators before school superintendents. This sequence is most consistent with the explanatory model in our conceptual framework. It allows the site visitor to construct or follow a trail of explanations to the limits of the scope of our study. It also has the advantage of giving the site visitor some substance with which to motivate an interview with a "higher up" in the system.

## Data Analysis

This section is divided into two parts. The first part describes procedures and methodological concerns in the preparation of individual case study reports ("debriefings"). The second part describes procedures and considerations in performing cross-site analyses on our data.

## Individual Case Studies

With few exceptions, our data are qualitative. Before being analyzed by the permanent site visitor, the data consist primarily of interview notes. Whatever forms and documents that have been collected on site are usually mere supplements to these notes, in the sense that their availability makes it possible to focus interview time on questions that cannot be answered by reference to the documents.

The format for data reduction is the debriefing format, which we described above (see "Debriefing"). The site visitor responds to each item in this format with prose that may range from a sentence or two to several typed pages. Responses vary in depth and subtlety, and particularly in the thoroughness with which each topic is treated at different sites. Each response describes some event or activity and, according to the approach dictated by our conceptual framework, embeds these descriptions in their local context. To illustrate the flavor of these responses, here is a sample from an actual report:

> Private schools became an issue when district officials tried to bring back into district-sponsored programs all children (mostly LH [learning handicapped]) that they had formerly placed in private schools. The district felt that . . . they now had the programs to serve these children. According to the special ed personnel, the transition was being accepted by parents during conferences at which the district assured parents that their child could go back to the private school if things didn't work out in the public program. Then a representative from the private school association came on the scene and, as a result of his persuasion, many parents decided they would oppose the change back to public school placements through fair hearings (the private schools provided the resources).

This particular example also illustrates the general point that explanations are often conveyed most effectively by stories or quotations.

The essence of these case study reports is their context-dependency. The original version of the first debriefing format began with a section called "background," which was intended to be a cursory, mainly historical description of the site's characteristics. As the structure of the debriefing formats evolved in use, this section became a "preamble." Simply, this evolution reflects the degree to which site visitors feel the necessity of providing a less cursory context for their responses to individual items. The best debriefings are filled with cross-references among items, because the format has forced the writer to break a complexly interconnected story into discrete units.

To transform raw interview notes into discrete responses to specific items, the site visitor must reorganize the notes from a "by-respondent" structure to a "by-topic" structure. In doing so, the principal mental activity of the site visitor is selection. Each visit confronts the site visitor with a potentially bewildering array of possibly significant facts and explanations. The process of selection begins with the planning for the visit, continues throughout the interviews, and characterizes every decision that goes into the case study report. Between the guidelines of the conceptual framework and the techniques of establishing structural corroboration, the site visitor must eliminate the insignificant and fix on what emerges as salient and important. This process is imperfect; it is too subjective for many researchers' taste; it relies on intuition and judgment. Nevertheless, given the experience of our staff and appropriate training, the process works. It produces fascinating descriptions and explanations of what is going on at individual sites.

The principal methodological issue in these case studies concerns the degree of certainty one can have about a characterization based on a limited number of respondents. This concern is one of the most significant trade-offs we have to make between depth, which implies spending more time at each site, and breadth, which implies a greater number of sites than can be investigated optimally. Of necessity, we adopted a policy of pragmatism about depth of evidence. When two sources contradict each other and no other relevant evidence exists, we always say so. Otherwise, our guidelines for writing debriefings advise site visitors to use language precisely to convey the basis for any uncertainty. This policy might have serious drawbacks if our approach to cross-site analysis were more conventional. Given the approach we adopted, however, the actual degree of uncertainty in individual case studies is more than tolerable.

## Cross-Site Analysis

In performing cross-site analysis, we had several objectives that could only be met by data from a variety of sites with diverse characteristics. One important objective was to provide summary descriptions of those aspects of local implementation that are reasonably uniform across sites. Examples of such findings are that all LEAs have IEP procedures in place and that they tend to make placement decisions on the basis of openings in available programs.

Another important objective was to describe differences in implementation from site to site and to attempt to explain these differences in implementation by identifying other differences among sites with which they are associated. One example of this kind of finding is that LEAs in states whose regulations conflict with federal regulations are having a more difficult time with implementation than LEAs in states whose regulations do not conflict. This example is one that we anticipated in our site selection strategy. Another example is that LEAs with "boundary crossing" school-based personnel, such as resource teachers, are having more success with "mainstreaming" than LEAs without such personnel. This example emerged from our analyses.

An additional objective of the cross-site analyses was to test the generality of explanations for events at individual sites that appeared to provide support for our conceptual framework. For example, we were told at one site that informal meetings for the purpose of establishing priorities among referrals were necessary because there was no other way to keep from overloading the system's capacity to evaluate children within legal timelines. This explanation, of course, fit our conceptual framework perfectly. The relevant questions for cross-site analysis were the overall prevalence of such "prescreening" meetings and the extent to which their presence or absence is related to a perceived limit of the system to handle unprioritized referrals.

Thus, the purpose of cross-site analyses was to make inferences across sites about LEAs in general. Analyses were performed to test the extent to which statements of findings could be supported across all our sites, or could be associated with certain characteristics explaining differences among LEAs.

As a result of our approach to the individual case studies, the debriefings contained descriptions and explanations that relied heavily on details of each site's local context. For some of the goals of our cross-site analyses, retrieving the relevant information directly from the debriefings (e.g., whether notification and consent procedures are in place) was quite straightforward. For other purposes (e.g., testing inferences about connections between timelines and prescreening mechanisms), it was impossible. In many cases, directly retrieving relevant information from the debriefings was logically possible but logistically difficult and inefficient. Accordingly, we decided we could accomplish all our goals most efficiently with an approach that made more direct use of the field notes and knowledge of the site visitors and less direct use of the debriefings themselves.*

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* We also decided to capitalize on our iterative approach by modifying our individual site case report procedures for next year by shaping them more specifically to feed into our anticipated cross-site analyses.

The approach to cross-site analysis we adopted recapitulates the logic of an individual case study. Each of the 22 individual sites in our study is treated as a "respondent," in the person of the site visitor permanently assigned to that site. The topics of interest are constrained by the six BEH evaluation questions, our concern for policy relevance, and our conceptual framework. Procedures are designed to ensure that a wide variety of hypotheses are generated and that the most reasonable and interesting of them are tested against the data. Finally, the findings are selected and organized with the goal of highlighting and exemplifying important themes and patterns. The remainder of this section describes the procedures in more detail.

The first step in our cross-site analysis was to generate a file of potential findings. Each member of the staff was asked to generate an unstructured list of statements that he or she "would like to see in the final report." These statements were written on file cards. The heuristic suggested to site visitors, who were in the process of completing their debriefings, was to think of interesting findings at their sites and then write them as if they were true at more than one site. Members of the analysis staff who had been to several sites as rotating site visitors tended to write statements on a more general or abstract plane than permanent site visitors. Statements were made in varying degrees of detail and abstraction by everyone who participated in this activity. Here are two examples drawn arbitrarily from the original file:

> Schools feel pretty confident that they have taken specific and adequate steps to inform parents of their rights. They typically say they provide something in writing and present the information verbally.
>
> Although teachers spend a lot of time doing IEPs, they don't find them all that useful on a daily basis.

We were aware that our biases were not independent, and therefore built into the procedure an exhaustiveness heuristic. We compiled a list of sources for statements in addition to ourselves (e.g., BEH documents, periodic newsletters, notes from staff meetings over the previous year), and then systematically went through these sources and wrote statements from them. By the time our file had grown to over 1500 cards, we were convinced that we were not omitting anything important.

The next steps began the first wave of selecting and organizing the potential findings. A major effort was devoted to sorting the cards according to categories developed in a tentative final report outline. After the cards had been through this gross sort, a member of the analysis team took each category and broke it down into subtopics, each of which could be discussed in a paragraph or two. At this stage, duplicates were removed and very similar statements were clipped together. This sort reduced the total number of cards to fewer than 1,000.

At this point, members of the core analysis staff went through the file and flagged those statements that were relatively general and abstract (i.e., stated in a manner more like cross-site findings than like individual-site findings). The cards that represented specific instances of more general statements were removed and filed for later reference. We made certain that we included all the points we wanted to make (if they were supported by data). From that time on, we continued to work with only this subset (about 250) of the cards.

Our next sorting was done according to the type of statement on the card. A distinction was made among assumptions, findings, and conclusions, though some overlap was tolerated. This sort separated the assumptions or conclusions from the findings. From within the findings, the more specific statements were grouped under the related, but more inclusive, general statements. This sort narrowed our file to about 30 categories of cards, each category corresponding in one way or another to a set of findings (e.g., IEP meetings, "mainstreaming," due process hearings).

The next step was to format these 30 sets of cards into an outline of the findings in a final report. The analysis staff worked "from both ends" to converge on this format. At one end we worked with the set of cards in a spatial array, which we moved around to represent relative distances, conceptually, among topics. At the other end, we took into account our sense of the information needs of the various audiences for the final report. The result of this exercise was a new emergent outline that became, in fact, the working outline for the findings chapters of this report.

To summarize, at this point in our cross-site analysis we had produced a set of a few hundred statements that were organized according to a possible final report outline. If all of these statements were unequivocally true, the findings chapters essentially would have been written. Of course, the veracity and generality of these statements remained to be tested.

The next step in our cross-site analysis was to produce a "draft list of propositions for site visitor review." Unlike the statements that served as input to this step, the propositions were carefully worded to constitute an integrated whole. Under each of 21 headings (e.g., "eligibility and identification," "in-service training"), propositions were listed in sequences intended to convey an organized presentation of a finding. Within each sequence, an attempt was made to break down the structure of an argument into component statements. Following are two examples of simple propositions:

3.c. Regular classroom teachers express a need or desire for more useful training in how to make referrals.

16.a. The greatest impact of the law at the school level has been to add new duties to old ones.

These propositions were written for the specific purpose of systematically eliciting carefully structured responses from the site visitors. Accompanying the 33-page list of propositions were two pages of instructions and two different response formats. Site visitors responded for each of their sites independently. For each proposition, the basic response format asked for any "qualifications, examples, and quotations" that the site visitor wanted to offer.* In practice, site visitors were encouraged to use the "comments" column to indicate explicitly the sense in which a given proposition did or did not apply to each site.

Several points about this exercise bear emphasis. First, there was some presumption that the propositions were generally true but needed to be qualified appropriately. Everyone understood that the purpose of the exercise was to produce a report of findings in which words would be used as precisely as possible to convey the conditions under which the propositions were true and the conditions under which they were not true. As a result, site visitors were encouraged to disagree with the implied generality of a proposition by explaining precisely how a given site was an exception. In addition, they were free to use the "don't know" response category and often did so, particularly when they were uncertain as to whether the evidence from a site was solid. This response option protected us against making inferences across sites that relied on shaky data from an individual site. Moreover, many of the propositions made reference to conditions that did not hold at all sites (e.g., due process hearings). In these cases, the appropriate response was "doesn't apply," which was often accompanied by a description of the reason. The same response format was used to elicit relevant examples and quotations, which were typically drawn directly from the debriefings. Thus, an important function served by the exercise was to make the writing of the final report a truly collaborative enterprise. Not only did site visitors' responses determine which propositions remained unchanged, they also provided cases in point, exceptions, and the specifics of qualifications.

After site visitor responses had been given to all the propositions, the analysis staff was in a position analogous to that of the site visitor writing a debriefing. For each of 21 topics, the "data collection" stage of the cross-site analysis procedure had produced 22 sets of responses to be integrated.

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* The other response format, rarely used, invited site visitors to restate the proposition however they wished.

Qualifications to the propositions had come in many guises. At this point, the analysis consisted of deep immersion in the data on a topic-by-topic basis. Our actual procedure involved assigning a member of the analysis staff to study site visitor responses to a particular topic, and then to draft a summary of the qualifications to the propositions necessitated by the site visitor responses. Working with these notes, and sets of examples and quotations from the debriefings, we were able to write each section of the findings chapters.

When all site visitor responses were yes or no, or there were one or two clear exceptions, it was relatively easy to generate descriptive text from the propositions. When responses were divided, we referred to our "site factor matrix" to see if the division could be explained by characteristics of sites similar to our original site selection factors (see Tables 1 and 2 and accompanying text, above). We also looked for new explanatory factors that emerged from the analysis (e.g., the previously mentioned presence or absence of resource teacher types). When we failed to make sense out of the pattern of responses, we rejected the proposition as useless or decided to pursue the issue next year rather than attempt to report on it prematurely.

By adopting an inductive approach to cross-site analysis, we freed ourselves from the necessity to use every site to test every proposition. Instead, we limited our search for generalizable explanations to the subset of sites that provided both relevant and reliable data on a particular matter. Thus, different sites were used for different purposes, as appropriate. This approach enabled us to avoid the loss of interesting and important findings that appeared in only a few sites or in different forms in different sites.

The results of our cross-site analyses are presented in the four following chapters.